C4

WARRANT FOR PRESIDENTIAL PRIMARY
MARCH 10, 1992

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the inhabitants of said Town who are qualified to vote in Primaries to vote at:

Precinct 1. Town Office Building Gymnasium

Precinct 2. Harrington Elementary School Gymnasium

Precinct 3. Harrington Elementary School Gymnasium

Precinct 4. Westlands School Cafeteria

Precinct 5. Byam School Cafeteria

Precinct 6. Westlands School Cafeteria

Precinct 7. McCarthy Middle School, Small Gymnasium

Precinct 8. McCarthy Middle School, Small Gymnasium

Precinct 9. Town Office Building Gymnasium

On Tuesday, the 10th day of March, 1992 at 7:00 a.m. until 8:00 p.m. for the following purposes:

To cast their votes to the Primary Officers for the election of candidates of political parties for the following office:

Presidential Preference
District Members of State Committee (one man and one woman) for each Political Party for the 5th Middlesex Senatorial District;

35 Members of the Democratic Town Committee;

35 Members of the Republican Town Committee;

10 Members of the Independent Voters Party Town Committee.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 10th day of February, A.D. 1992.

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

Dennis J. Ready, Chairman

William R. Logan, Vice Chairman

Richard E. DeFreitas, Clerk

Henrick R. Johnson Jr.

Roger A. Blomgren

COMMONWEALTH OF MASSACHUSETTS

IIDDLESEX, SS

Feb 21, 1992

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafeteria, Byam School Cafetorium, Westland School Cafeteria, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence,
Constable

A True Copy Attest,

William E. Spence, Constable

DEMOCRATIC PRIMARY ELECTION MARCH 10, 1992

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
PRESIDENTIAL PREF										
Blanks	5	6	3	6	4	3	2	4	3	36
Ralph Nader	17	19	15	14	15	18	14	15	24	151
Lyndon H. LaRouche	1	1	0	1	0	0	0	0	1	4
Jerry Brown	76	68	68	46	62	58	70	84	53	585
Tom Harkin	2	2	1	2	2	3	0	0	1	13
Larry Agran	0	3	0	4	0	0	0	1	1	9
Paul Tsongas	448	497	503	516	519	528	533	499	442	4485
Eugene McCarthy	0	2	1	1	0	1	1	0	1	7
Bill Clinton	57	44	21	29	40	42	20	33	34	320
Robert Kerrey	4	2	4	4	0	1	1	4	3	23
No Preference	2	8	4	6	1	3	1	2	3	30
Mario Cuomo (write-in)	0	1	1	1	3	2	0	0	2	10
	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0
Write-in	1	2	3	2	2	3	2	0	1	16
Misc*	0	0	0	0	0	0	0	0	0	0
TOTAL	613	655	624	632	648	662	644	642	569	5689
STATE COMMITTEE MAN 5TH Mldsx										
Blanks	190	174	168	154	176	166	203	193	160	1584
Thomas J. Larkin	328	380	335	365	376	392	350	350	319	3195
Michael J. O'Halloran	91	99	117	110	94	103	90	94	90	888
	0	0	0	0	0	0	0	0	0	0
Write-In	3	1	2	1	1	0	1	1	0	10
Misc*	1	1	2	2	1	1	0	4	0	12
TOTAL	613	655	624	632	648	662	644	642	569	5689
STATE COMMITTEE WOMAN 5TH Mldsx										
Blanks	223	215	204	192	201	215	242	225	187	1904
Lorriane Greiff	209	212	233	211	263	244	221	235	204	2032
Lynn W. O'Halloran	178	223	181	222	181	200	179	177	175	1716
	0	0	0	0	0	0	0	0	0	0
Write-In	1	2	2	3	0	0	2	1	1	12
Misc*	2	3	4	4	3	3	0	4	2	25
TOTAL	613	655	624	632	648	662	644	642	569	5689
TOWN COMMITTEE										
Blanks	13027	13258	12702	11859	13129	13502	12878	12776	11715	114846
Linda J. Allen	243	277	253	320	287	269	281	279	247	2456
Adrienne M. Jerome	230	269	263	275	262	250	261	273	223	2306
Richard J. Jerome	222	258	255	270	254	248	256	264	219	2246
Mary E. White	261	281	267	342	282	336	288	291	252	2600
Robert D. Marazzi	222	269	262	264	249	248	256	253	214	2237
Samuel Poulten	260	285	279	295	298	292	284	283	245	2521
Paul J. Cerqua	231	256	248	276	263	255	275	262	219	2285
Maureen M. Cossette	232	300	251	281	263	256	266	284	228	2361
Ann T. Chicklis	235	280	286	283	262	263	277	287	240	2413
Theodore C. Chicklis	226	267	267	275	258	255	265	268	228	2309
Stratos G. Dukakis	248	269	263	293	282	286	324	285	242	2492
Alexander W. Gervais	232	269	260	286	253	256	258	286	223	2323
Cheryl M. Warshafsky	249	276	255	304	291	288	274	282	240	2459
Barry Warshafsky	226	260	238	281	270	261	256	262	219	2273

DEMOCRATIC PRIMARY ELECTION MARCH 10, 1992

TOWN COMMITTEE con't	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
Charles K. Spear	227	264	262	277	247	255	256	269	215	2272
Roger G. Trudeau	237	272	241	276	256	263	264	282	223	2314
Irene J. Cetaruk	235	276	256	276	257	258	273	264	232	2327
Gail E. Poulten	240	285	252	278	281	272	272	264	228	2372
Dennis J. Ready	277	292	301	334	346	348	352	322	273	2845
Eleanor V. McLeman	226	299	236	270	252	248	253	247	223	2254
Marianne J. Paresky	239	270	268	294	277	283	279	281	236	2427
Paul F. Allen Jr.	229	257	233	280	249	247	253	256	215	2219
Catherine R. Brown	236	259	247	283	285	259	272	262	235	2338
Grace M. Dunn	250	290	296	321	284	315	298	306	250	2610
Loretta A. Gelenian	229	311	244	276	261	254	265	261	223	2324
Yvette M. Lemire	228	267	243	290	255	256	264	265	221	2289
Bernice F. Poulten	228	268	240	276	267	260	260	250	220	2269
Christos Simorellis	246	277	278	294	300	283	288	295	249	2510
Jeannette S. Ralls	235	270	239	294	260	260	258	259	226	2301
James M. Harrington	270	279	275	318	291	298	295	291	245	2562
Louise P. Duhamel	228	258	238	280	252	254	254	249	223	2236
Judith A. Olsson	274	293	282	337	298	334	302	300	257	2677
Raymond P. McKeon	274	304	300	342	297	359	321	319	266	2782
John P. Emerson Jr.	267	294	309	317	296	317	295	323	256	2674
Gail P. Langner	236	266	251	303	266	282	267	270	245	2386
	0	0	0	0	0	0	0	0	0	0
Write-In	0	0	0	0	0	0	0	0	0	0
Misc*	0	0	0	0	0	0	0	0	0	0
TOTAL	21455	22925	21840	22120	22680	23170	22540	22470	19915	199115

REPUBLICAN PRIMARY ELECTION MARCH 10, 1992

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
PRESIDENTIAL PREF										
Blanks	3	1	3	1	4	3	4	3	1	23
Patrick J. Buchanan	65	112	91	69	92	78	111	88	99	805
David Duke	2	0	1	3	2	4	5	3	2	22
George Bush	169	158	137	162	197	195	192	147	168	1525
No Preference	8	11	15	8	5	10	6	7	13	83
	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0
Write-In	2	10	3	5	12	11	6	2	5	56
Misc*	1	0	0	0	1	0	0	0	0	2
TOTAL	250	292	250	248	313	301	324	250	288	2516
STATE COMMITTEE MAN 5TH Mldsx										
Blanks	50	71	47	66	82	62	84	67	60	589
Paul F.X. Powers	104	136	88	95	97	105	97	82	93	897
John R. Caswell	96	83	115	87	131	131	140	98	134	1015
	0	0	0	0	0	0	0	0	0	0
Write-In	0	2	0	0	0	0	3	1	1	7
Misc*	0	0	0	0	3	3	0	2	0	8
TOTAL	250	292	250	248	313	301	324	250	288	2516
STATE COMMITTEE WOMAN 5TH Mldsx										
Blanks	84	101	80	94	122	98	134	95	99	907
Joyce Kidd	163	187	169	149	186	200	184	152	187	1577
write-in	2	2	1	3	0	0	6	3	1	18
Misc*	1	2	0	2	5	3	0	0	1	14
TOTAL	250	292	250	248	313	301	324	250	288	2516
TOWN COMMITTEE										
Blanks	4932	6060	4721	5390	6554	6022	6639	5332	5887	51537
Richard F. Burtt Jr.	127	142	131	108	141	156	154	114	127	1200
Ivor K. Clements	120	124	122	99	132	137	146	105	127	1112
Carol C. Cleven	173	190	187	161	214	225	227	163	209	1749
Walter A. Cleven	141	154	148	130	167	181	176	135	157	1389
Judy L. Cypret	121	131	122	101	139	136	143	103	127	1123
Leslie P. Cypret	118	128	119	100	137	130	140	101	128	1101
Frances S. DeJager	113	127	116	104	137	135	145	104	140	1121
Peter Dulchinos	126	129	148	114	152	161	169	114	138	1251
Eileen K. Fletcher	140	152	154	119	159	174	183	129	145	1355
Harry A. Foster	135	169	147	114	139	148	151	128	134	1265
John S. Fudge Jr.	128	129	129	117	141	149	150	109	153	1205
Rita M. Gamache	128	142	136	107	144	149	159	120	138	1223
Francis X. Harrison Sr.	122	126	118	98	135	135	145	98	131	1108
Janet B. Hendl	123	135	148	100	144	143	155	120	129	1197
John F. Ketcham	115	126	117	101	139	143	144	105	126	1116
Verton W. Lenfest	116	134	121	102	137	138	143	102	126	1119

REPUBLICAN PRIMARY ELECTION MARCH 10, 1992

TOWN COMMITTEE con't	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
William R. Logan	161	169	166	131	180	192	198	147	173	1517
Michael F. McCall	117	130	131	102	136	136	145	102	126	1125
Florence E. Morrison	117	124	121	101	139	136	138	103	126	1105
Halver P. Peterson	119	146	140	105	139	140	150	111	133	1183
Constance A. Pickard	128	131	125	103	145	152	158	111	129	1182
John B. Sousa Jr.	125	133	127	119	141	150	145	107	132	1179
Jeffrey W. Stallard	124	158	146	107	143	140	147	114	127	1206
Josephine A. Tambo	118	123	126	99	146	142	159	111	147	1171
Nicholas Theochares	117	131	121	100	143	134	143	98	131	1118
Marguerite Waldron	117	130	140	101	142	144	158	113	131	1176
John T. Warren	119	127	124	109	141	142	149	104	131	1146
W. Matthew Whiting	125	134	134	101	143	145	153	106	129	1170
Robert F. Wood	123	123	120	102	135	139	144	104	124	1114
Margaret A. Fudge	136	135	135	115	157	156	150	115	162	1261
Bradford O. Emerson	5	4	1	2	3	7	4	4	13	43
Henrick R. Johnson Jr.	4	7	1	6	0	5	3	4	10	40
Donna A. Johnson	4	6	1	6	0	5	1	4	8	35
Linda Marinel	2	6	3	0	0	0	3	2	2	18
Philip Currier	4	1	1	2	1	3	2	2	10	26
Marion Currier	0	0	0	2	0	0	2	0	0	4
Muriel McGann	2	0	1	0	0	2	1	2	8	16
Colleen Pickard	0	0	0	2	2	2	8	0	0	14
Write-In	5	4	2	0	8	1	10	4	6	40
Misc*	0	0	0	0	0	0	0	0	0	0
TOTAL	8750	10220	8750	8680	10955	10535	11340	8750	10080	88060

INDEPENDENT VOTERS PARTY PRIMARY ELECTION MARCH 10, 1992

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
PRESIDENTIAL PREF										
Robert J. Smith	0	0	0	0	0	0	0	0	1	1
Darcy G. Richardson	0	0	0	0	0	0	0	0	0	0
Erik Thompson	0	0	0	0	0	0	0	0	0	0
Howard Phillips	0	0	0	0	0	1	0	0	0	1
Earl F. Dodge	0	0	0	0	0	0	0	0	0	0
J. Quinn Brisben	0	0	0	0	0	0	0	0	0	0
Michael S. Levinson	0	0	0	0	0	0	0	0	0	0
Bo Gritz	0	0	0	0	1	0	0	1	0	2
No Preference	0	1	0	0	0	0	0	0	0	1
Andre Marron	0	0	0	0	0	0	1	0	0	1
All others	0	0	0	0	0	0	0	0	0	0
Blanks	0	0	0	0	0	0	0	1	0	1
TOTAL	0	1	0	0	1	1	1	2	1	7
STATE COMMITTEE MAN										
write-In	0	0	0	0	0	0	0	0	0	0
All Others	0	0	0	0	0	0	0	1	1	2
Blanks	0	1	0	0	1	1	1	1	0	5
TOTAL	0	1	0	0	1	1	1	2	1	7
STATE COMMITTEE WOMAN										
write-in	0	0	0	0	0	0	0	0	0	0
All Others	0	0	0	0	0	0	0	1	0	1
Blanks	0	1	0	0	1	1	1	1	1	6
TOTAL	0	1	0	0	1	1	1	2	0	7
TOWN COMMITTEE										
	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0
All Others	0	0	0	0	0	0	0	1	0	1
Blanks	0	10	0	0	10	10	10	19	10	69
TOTAL	0	10	0	0	10	10	10	20	10	70

WARRANT FOR ANNUAL
TOWN ELECTION APRIL 7, 1992

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ:

Precinct 1. Town Office Building Gymnasium

Precinct 2. Harrington Elementary School Gymnasium

Precinct 3. Harrington Elementary School Gymnasium

Precinct 4. Westlands School Cafeteria

Precinct 5. Byam School Cafeteria

Precinct 6. Westlands School Cafeteria

Precinct 7. McCarthy Middle School, Small Gymnasium

Precinct 8. McCarthy Middle School, Small Gymnasium

Precinct 9. Town Office Building Gymnasium

On Tuesday, the 7th day of April, 1992, being the first Tuesday in said month at 10:00 a.m. until 8:00 p.m. for the following purposes:

To bring in their votes for the following officers:

Two Selectmen for three years.

Two members of School Committee for three years.

Two members of Public Library Trustees for three years.

One member of the Board of Health for three years.

Two Planning Board members for three years.

One member of Housing Authority for five years.

Two members of Sewer Commission for three years.

One Constable for three years.

One member of the Cemetery Commission for three years.

and to vote on the following question:

Question 1. THIS QUESTION IS NOT BINDING

Shall the Town of Chelmsford urge Representative Chester G. Atkins and the Senators Edward M. Kennedy and John F. Kerry to use their best efforts in the United States Congress to ensure that annual military budgets are progressively reduced by ten per cent a year until 1996 in order to provide essential funding for domestic needs including health care, affordable housing, job opportunities in peacetime industries, education, protection of the environment, and reduction of the national debt?

YES
NO

Fifty-four Representative Town Meeting members; six representatives per precinct.

One Representative Town Meeting Member for an unexpired two year term in Precinct 3.

Two Representative Town Meeting Members for an unexpired one year term in Precinct 4.

One Representative Town Meeting Member for an unexpired two year term in Precinct 7.

The polls will be open from 10:00 a.m. until 8:00 p.m.; and to meet in the Parker School Cafetorium on Monday, the twenty-seventh day of April, at 7:30 p.m. in the evening, then and there to act upon the following articles, VIZ:

Article 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

Board of Selectmen

Article 2. To see if the Town will vote to amend the Chelmsford Home Rule Charter under Part III, section 3-2 (c), Board of Selectmen Appointment Powers, by deleting the following:

"(c) Appointment Powers
The board of selectmen shall appoint a town manager, a town counsel, a town accountant, and a board of registrars of voters (but not including the town clerk). The board of selectmen shall also appoint such other multiple member bodies as may be provided by by-law."

and add the following as Part III, Section 3-2 (c):

> "(c) The board of selectmen shall appoint a town manager, a town counsel, a town accountant, and a board of registrars of voters (but not including the town clerk). The board of selectmen shall also appoint such policy making or policy advisory committees as they deem necessary, licensing committees, and such other multiple member bodies as may be provided by by-law."

; or act in relation thereto.

Petition

Article 3. To see if the Town will vote to transfer a certain sum of money from the sale of Graves and Lots to the Cemetery Improvement and Development Fund; or act in relation thereto.

Cemetery Commission

Article 4. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to enter into compensatory balance agreements, during Fiscal Year 1993, as permitted by General Laws Chapter 44, Section 53F; or act in relation thereto.

Town Treasurer

Article 5. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money with which to meet bills from previous years; or act in relation thereto.

Board of Selectmen

Article 6. To see if the Town will vote to accept the provisions of Section 12 of Chapter 188 of the Acts of 1985, the School Improvement Act, in relation to the Equal Educational Opportunity Grant in the amount of $17,207.00 for the Nashoba Valley Technical High School for the 1991-92 School Year; or act in relation thereto.

Nashoba Valley Technical
High School District
Committee

Article 7. To see if the Town will vote to accept the provisions of General Laws Chapter 59, Section 5, Thirty Seventh A, relative to the exemption of certain real estate from taxation; such acceptance to be effective for fiscal year 1993; or act in relation thereto.

Board of Assessors

Article 8. To see if the Town will vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer, all right, title and interest, if any, held by the Town, in a certain parcel of land, located on Shore Drive, and shown on Assessors' Map 45 as Lot 15. Containing 5,000 square feet of land, more or less, all in compliance with the Uniform Procurement Act, M.G.L. Chapter 30B; or act in relation thereto.

Board of Selectmen

Article 9. To see if the Town will vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Clerk:

1. Boardwalk
2. Burton Lane
3. Pennsylvania Avenue
4. Waterford Place
5. Braeburn Road
6. Purcell Drive
7. Thornton Lane
8. Meehan Drive

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and to see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and to see if the Town will vote to raise and appropriate, transfer and appropriate from the Stabilization Fund, and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and to see if the Town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto; or act in relation thereto.

Board of Selectmen

Article 10. To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 53 E 1/2, "Cities and Towns Authorized to Use Revolving Accounts"; or act in relation thereto.

Board of Selectmen

Article 11. To see if the Town will vote to transfer a certain sum of money from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 1993 Budget; or act in relation thereto.

Sewer Commission

Article 12. To see if the Town will vote to transfer a certain sum of money from the Stabilization Fund to offset debt and interest in the Fiscal Year 1993 Budget; or act in relation thereto.

Town Manager

Article 13. To see if the Town will vote to raise and appropriate such sums of money as may be required to defray Town charges for the fiscal period July 1, 1992 to June 30, 1993; or act in relation thereto.

Town Manager

Article 14. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money for the purpose of providing Senior Citizen Real Estate Tax Payment Vouchers for services rendered, pursuant to an agreement to be formulated by the Council on Aging and approved by the Town Manager; or act in relation thereto.

Town Manager
Council on Aging

Article 15. To see if the Town will vote to raise and appropriate, or transfer from available fund a certain sum of money to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws Chapter 40, Section 6; or act in relation thereto.

Finance Committee

Article 16. To see if the Town will vote to appropriate a certain sum of money for the following capital projects:

Cemetery Truck	22,000.00
Data Processing Hardware & Software	100,000.00
DPW Road Resurfacing	200,000.00
DPW Middlesex Street Canal Deck	60,000.00
DPW Sidewalk Construction	200,000.00
DPW Streetlights	235,317.00
Fire Breathing Apparatus	10,000.00
Fire Ramp Repaving Eng. 3, 4, 5	15,000.00
Police Portable Radios	25,000.00
Police Cruisers	64,000.00
School CHS Ext Stairs	12,000.00
School Parker Roof Repairs	110,000.00
School CHS Gym Divider	10,000.00
School CHS Gym Floor	50,000.00
School CHS Lavatory Partition	10,000.00
School McCarthy Fire Alarms	30,000.00

School Interior Maintenance	15,000.00
School Stadium Seats/Press Box	30,000.00
HVAC Upgrades	51,029.00
TOTAL	$1,249,346.00

and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, and/or borrow a certain sum of money to fund these obligations; or act in relation thereto.

Board of Selectmen
Town Manager
Capital Planning
Committee

Article 17. To see if the Town will vote to raise and appropriate or transfer from available funds, a certain sum of money for the purpose of funding the sand lease approved by the Town under Article 12 of the 1989 Annual Town Meeting; or act in relation thereto.

Board of Selectmen

Article 18. To see if the Town will vote to raise and appropriate, or transfer and appropriate from available funds, a certain sum of money to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford; or act in relation thereto.

Board of Selectmen

Article 19. To see if the Town will vote to instruct the Board of Assessors to issue a certain amount of money from Free Cash in the Treasury for the reduction of the tax rate; or act in relation thereto.

Town Treasurer

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 5th day of March A.D., 1992.

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

Dennis J. Ready, Chairman

William R. Logan, Vice Chairman

Richard E. DeFreitas, Clerk

Henrick R. Johnson, Jr.

Roger A. Blomgren

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
ANNUAL SPRING TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Annual Spring Town Meeting of April 27, 1992:

Monday, May 4, 1992 at 7:30 p.m.

Monday, May 18, 1992 at 7:30 p.m.

Pursuant to General By-Laws Article II, Section 4.10 Notice these dates and times are proposed and are subject to change by vote of the Town Meeting Representative.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. MARCH 17, 1992

Pursuant to the within notice, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafeteria, Byam School Cafetorium, Westland School Cafeteria, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence
Constable

A True Copy Attest, William E. Spence
William E. Spence, Constable

COMMONWEALTH OF MASSACHUSETTS

DDLESEX, SS 3-17-92-

rsuant to the within warrant, I have notified and warned the habitants of the Town of Chelmsford by posting up attested pies of same at the following places, to wit:
wn Office Building Gym, Harrington School Gymnasium, Harrington hool Gymnasium, Westland School Cafeteria, Byam School fetorium, Westland School Cafeteria, McCarthy Middle School all Gymnasium, McCarthy Middle School Small Gymnasium, and Town fice Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence,
Constable

True Copy Attest,

William E. Spence, Constable

WARRANT FOR SPECIAL TOWN MEETING
APRIL 27, 1992
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the constable, or any other suitable person of the Town of Chelmsford:

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the Town Meeting Members of said Chelmsford to meet in the Parker School Cafetorium on Monday, the twenty-seventh day of April, at 7:30 p.m. o'clock in the evening, then and there to act upon the following Articles, VIZ:

Article 1. To see if the Town will vote to support the Ballot Question seeking approval of an override of Proposition 2 1/2 for the purpose of funding Municipal Household Solid Waste/Recyclable Collection for all Single Family Homes and all Multifamily Residences; or act in relation thereto.

Board of Selectmen
Board of Health

Article 2. To see if the Town will vote to amend the General By-Laws Article VIII Waste Disposal, Section 8. Solid Waste, Recycling, and Hazardous Waste Disposal Programs, Subsection 8.4 by adding the following paragraphs:

"In the event that funding for any or all Solid Waste Programs are derived from a Proposition 2 1/2 override, then those funds shall be exclusively committed for such services"

; or act in relation thereto.

Board of Selectmen

Article 3. To see if the Town will vote to amend the General By-Laws Article VIII Waste Disposal, Section 8. Solid Waste, Recycling, and Hazardous Waste Disposal Programs, Subsection 8.5 by adding the following paragraph:

"Notwithstanding the above, the Manager may negotiate contractual terms whereby the Town's selected contractor manages and administers the annual fee for the collection, transportation, and/or disposal or marketing of solid wastes and recyclables in which event fees may be made directly to the contractor and shall be accounted for under the terms of the contact."

; or act in relation thereto.

Board of Selectmen

Article 4. To see if the Town will vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easements in Chelmsford, Massachusetts, Phase IIC Sewers" Dated January 31, 1992 prepared for the Chelmsford Sewer Commission by Richard F. Kaminski & Associates, Inc., a copy of which is on file in the office of the Town Engineer and Town Clerk and is incorporated herein by reference, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto; and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, transfer and appropriate from revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees, and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Sewer Commission

Article 5. To see if the Town will vote to amend the existing Town of Chelmsford Zoning Map by removing the following described property on Littleton Road owned by C.L.M. Realty Trust, consisting of 1.68 acres and 7,628 square feet of land with the buildings thereon from Limited Industrial District (IA) and Residential District (RB) and placing all of said property in a General Commercial District (CD):

Northerly	by the southerly line of Littleton Road, 490.05 feet;
Easterly	by land now or formerly of Raymond T. Osborn, et al, 119.48 feet;
Southerly	by land now or formerly of the New York, New Haven, and Hartford Railroad Company, 488.74 feet;
Westerly	by land now or formerly of Stephen W. Flannery, et al, 197.79 feet.

All of said boundaries are determined by the Land Court to be located as shown on Plan 29525A drawn by Brooks, Jordan and Graves, Civil Engineers, dated July 23, 1959 as modified and approved by the Land Court, filed in the Land Registration Office, copy of a portion of which is filed with Certificate of Title 11381. Property is also identified on the Board of Assessors Map 174 as Lot 31 and 32 which lots are now combined.

; or act in relation thereto.

Petition

Article 6. To see if the Town will vote to amend the General By-Laws Article I. General Provisions Section 2 Non-Criminal Disposition of Violations of Any Ordinance, By-Law, or Regulation of Any Municipal Officer, Board or Department by deleting the last paragraph which reads as follows in its entirety:

> "Any person notified to appear before the Clerk of a District Court herein before provided may so appear and confess the offense charged, either personally or through a duly authorized agent or by mailing to such clerk with the notice such specific sum of money not exceeding two hundred dollars as the town shall fix as penalty for violation of the ordinance, by-law, rule or regulation. Such payment shall, if mailed, be made only by postal note, money order or check. The payment to the clerk of such sum shall operate as a final disposition of the case. An appearance under this paragraph shall not be deemed to be a criminal proceeding. No person shall be required to report to any probation officer, and no record of the case shall be entered in any probation records. If any person so notified to appear desires to contest the violations alleged in the notice to appear, he may avail himself of the procedure established in Chapter 40, Section 21D."

and insert in its place the following:

> "Any person notified to appear before the Clerk of a District Court as hereinbefore provided may so appear and confess the offense charged, either personally or through a duly authorized agent or by mailing to the town clerk of the municipality within which the violation occurred together with the notice such specific sum of money not exceeding three hundred dollars as the town shall fix as penalty for violation of the ordinance, by-law, rule or regulation. Such payment shall, if mailed, be made only by postal note, money order or check. Upon receipt of such notice, the town clerk shall forthwith notify the district court clerk of such payment and the receipt by the district court clerk of such notification shall operate as a final disposition of the case. An appearance under this paragraph shall not be deemed to be a criminal proceeding. No person so notified to appear before the clerk of a district court shall be required to report to any probation officer, and no record of the case shall be entered in any probation records."

; or act in relation thereto.

Board of Selectmen

Article 7. To see if the Town will vote to amend the Zoning By-Laws and Zoning Map as follows:

The Zoning Map and accompanying ordinance passed, and as most recently amended, entitled "Zoning By-Laws of the Town of Chelmsford" is hereby amended by establishing new lines and striking out the designation "Limited Industrial" (IA) District, as shown on said Zoning Map and substituting in place thereof new lines and the designation "Residential Multi-Family" (RM) District, in so far as said Zoning Map relates to the following described premises:

Commencing at a point on the easterly sideline of Mill Road, being the zone line between the RB Zone and Zone IA; thence, Southeasterly 1129.22 feet to a point, being the Town Line as shown on the 1954 State Highway Layout; thence, in two courses, 931.18 feet to a point, being Route 3 on the State Highway Layout of 1954; thence, Northwesterly, in two courses, 599.34 feet to a point; thence, Westerly 391.48 feet to a point on the southeasterly side of Mill Road; thence, Southwesterly along the Southeasterly sideline of Mill Road to the point of beginning.

The herein described parcel of land containing 21.802 acres of land and being shown as Lot 2 (10.470 acres), Lot 3 (10.780 acres) and proposed Quorum Way (0.552 acres) on a plan entitled "Subdivision Plan of Land in Chelmsford, MA Prepared for Raymond A. & Barbara F. Carye, Revised May 7, 1954 and Approved by the Town of Chelmsford Planning Board on July 12, 1984.

; or act in relation thereto.

Petition

Article 8. To see if the Town will vote to transfer and appropriate from the Insurance Sinking Fund a certain sum of money to pay deductible payments assessed against the Town under Town Insurance Policies; or act in relation thereto.

Board of Selectmen

Article 9. To see if the Town will vote to amend the existing Town of Chelmsford Zoning Map by removing the following described property consisting of 28.5 acres of land with buildings thereon from Neighborhood Commercial District (CA) and Limited Industrial District (IA) and placing said property in a Shopping Center District (CC):

Being a 28.5 ± acre parcel of land situated in Chelmsford, MA more particularly described as follows:

Commencing at a point lying along the southerly R.O.W. line of Chelmsford Road (Route 110), being a State Highway as laid out July 16, 1903 by the Massachusetts Highway Commission; said point being a stone bound and the "Point of Beginning" of the

herein described parcel of land; thence running along said southerly R.O.W. line in a Southwesterly direction in 2 courses being; S82-17-00W, 844.61 feet to a point along a circular curve concave to the left with an arc length of 151.82 feet and radius of 656.80 feet to a point; thence S06-03-59E, 565.94 feet to a stone bound found; thence S80-37-34W, 56.97 feet to a point lying parallel and 50 feet East of the Easterly R.O.W. line of Manahan Street, being a 40' wide public way; thence S39-27-02E, 494.15 feet, along said parallel line of the Easterly R.O.W. line, to a point lying at the intersection of the Southerly R.O.W. line of land now or formerly of the New York New Haven Railroad Co.; thence along said railroad R.O.W. line N68-17-04E, 354.84 feet to a point lying at the intersection of said Southerly Railroad R.O.W. line and the Northwesterly corner of land now or formerly of Raymond Carye, being shown as Lot 4D on a plan of land prepared for Carex Realty Trust dated January 23, 1989; thence running along Westerly lot line of said Lot 4D S21-42-56E, 170.00 feet, to a point being the Southwesterly lot corner of Lot 4D and the Northwestern corner of Lot 5A as shown on the herein referenced plan; thence running along the common property line of Lot 4D and 5A as referenced herein N73-14-24E, 250.00 feet and S45-47-33E, 85.87 feet to a point lying at the center line intersection of Katrina Road, a 50' wide public way, and the extension of said property line as shown on the herein referenced plan, thence running along the center line of said Katrina Road being a curve concave to the right having an arc length of 277.86 feet and a radius of 665.00 feet to a point; thence N52-20-29E, 392.21 feet to a point lying at the center line intersection for said Katrina Road and the Westerly R.O.W. line of Glen Avenue, a public 40' R.O.W.; thence running in a Northerly direction along said Westerly Glen Avenue R.O.W. in 2 courses being N36-52-48W, 217.63 feet to an angle point; thence N03-44-12E, 521.17 feet to a point lying at the intersection of said Glen Avenue Westerly R.O.W. line and the Southerly R.O.W. line of said Chelmsford Road, (Route 110); thence S86-36-00W, 210.66 feet along said Chelmsford Road (Route 110) Southerly R.O.W. line to the centerline of Watt Terrace, a 30' private way; thence S04-41-06W, 299.00 feet along said Watt Terrace centerline to a point; thence S86-36-00W, 210.59 feet along Southerly property line of land belonging now or formerly of Watt; thence running along said Watt's Westerly property line N04-48-10E, 299.09 feet to a point lying along the Southerly right-of-way of said Chelmsford Road and being the "Point of Beginning" of the herein described parcel of land.

Said parcel being a proposed "CC" Zone District containing an area of 28.5 acres and being a portion of a CA (Neighborhood Commercial) CC (Shopping Center District) and IA (Limited Industrial) zone as shown on the Town of Chelmsford Zoning Map.

; or act in relation thereto.

Petition

Article 10. To see if the Town will vote to amend the General By-Laws Article IV Financial Regulations by adding Section 5 as follows:

Section 5. Effective July 1, 1992 all stipends paid to appointed and elected officials in the service of the Town shall be eliminated.

For those appointed and elected officials who are currently receiving a stipend, they shall be entitled to receive a reimbursement for all documented expenses incurred during the execution of their duties. The total sum of the expenses submitted during a fiscal year shall not exceed the amount of the stipend in effect for their position as of July 1, 1991.

No stipend for an appointed or elected official of the Town shall be reinstated without first being voted on and approved by Town Meeting.

; or act in relation thereto.

Stipends and Benefits
Committee

Article 11. To see if the Town will vote to amend the Zoning By-Law passed and as most recently amended entitled "Zoning By-Law of the Town of Chelmsford" as follows:

Under "ARTICLE V. DEFINITIONS

Adult Entertainment Establishments:

Massage Service Establishments:

(b) The practice of massage shall not include the following individuals while engaged in the personal performance of duties of their respective professions:

a. Physicians, surgeons, chiropractors, osteopaths, or physical therapists who are duly licensed to practice their respective professions in the Commonwealth of Massachusetts.

b. Nurses who are registered under the laws of the Commonwealth of Massachusetts.

c. Barbers and beauticians who are duly licensed under the laws of the Commonwealth of Massachusetts, except that this exclusion shall apply solely to the massage of the neck, face, scalp, and hair of the customer or client for cosmetic or beautifying purposes."

By adding the following exclusion as "subsection d." to the existing by-law definition of Massage service establishments:

"ARTICLE V. DEFINITIONS

Adult Entertainment Establishments:

Massage Service Establishments:

(b) The practice of massage shall not include the following individuals while engaged in the personal performance of duties of their respective professions:

a. Physicians, surgeons, chiropractors, osteopaths, or physical therapists who are duly licensed to practice their respective professions in the Commonwealth of Massachusetts.

b. Nurses who are registered under the laws of the Commonwealth of Massachusetts.

c. Barbers and beauticians who are duly licensed under the laws of the Commonwealth of Massachusetts, except that this exclusion shall apply solely to the massage of the neck, face, scalp, and hair of the customer or client for cosmetic or beautifying purposes."

d. Massage therapists who are duly permitted to practice under the Rules and Regulations of the Chelmsford Board of Health."

; or act in relation thereto.

Petition

Article 13. To see if the Town will vote to transfer custody of a certain parcel of land located on Old Westford Road adjacent to the McCarthy Middle School to be shown on a plan of land to be presented at Town Meeting, from the School Department to the Board of Selectmen for the specific purpose of construction of a new Public Library Building provided the Town vote to construct a Public Library Building on the site prior to Fiscal Year 1995; or act in relation thereto.

Board of Selectmen
School Committee

Article 14. To see if the Town will vote to rescind a portion of the authorization to borrow funds under Article 8 of the Annual Town Meeting held in 1990 by the sum of $232,345.00 which represents an amount authorized but unused to complete the Mandated Handicap Access Project; or act in relation thereto.

Capital Planning Committee

Article 15. To see if the Town will vote to amend the Zoning Map and the Zoning By-Laws as follows:

The Zoning Map and accompanying ordinance passed and as most recently amended entitled "Zoning By-Laws of the Town of Chelmsford" is hereby amended by establishing new lines and striking out the designation "Open Space" (OS) District, as shown on said zone map, and substituting in place thereof new lines and designation "Public" (P) District, insofar as said zone map relates to the following described premises:

A certain parcel of land in Chelmsford, County of Middlesex, Commonwealth of Massachusetts, situated on the westerly side of Swain Road and bounded and described as follows:

Beginning at a stone bound on the westerly side of Swain Road, 162.10 feet northerly of a bound at the corner of Keishill Road and at the corner of the land owned by the Town of Chelmsford;

Thence North 51 degrees, 42 minutes, 4 seconds West, 408.95 feet along land of the Town of Chelmsford to a stone bound;

Thence North 41 degrees, 21 minutes, 7 seconds East, 236.00 feet through land of the Lowell Sportsmen's Club to a stone bound;

Thence South 49 degrees, 29 minutes, 45 seconds East, 299.80 feet through land of the said Lowell Sportsmen's Club to a stone bound at Swain Road;

Thence southerly along Swain Road by two courses, 97.00 feet and 135.45 feet to the point of beginning.

Said parcel contains 1.72 acres and is shown on a plan of land dated July 22, 1991; Scale 1 inch = 40 feet, McGlinchey & Associates, Inc. to be recorded at the Middlesex North District Registry of Deeds and being a portion of land conveyed to Lowell Sportsmen's Club by deed of Harold H. Peterson dated January 10, 1949 recorded at the Middlesex North District Registry of Deeds in Book 1166, Page 271.

; or act in relation thereto.

Petition

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 23rd day of March A.D., 1992.

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

Dennis J. Ready, Chairman

William R. Logan, Vice Chairman

Richard E. DeFreitas, Clerk

Henrick R. Johnson, Jr.

Roger A. Blomgren

COMMONWEALTH OF MASSACHUSETTS

DDLESEX, SS 3-25-92

rsuant to the within warrant, I have notified and warned the
abitants of the Town of Chelmsford by posting up attested
ies of same at the following places, to wit:
n Office Building Gym, Harrington School Gymnasium, Harrington
ool Gymnasium, Westland School Cafeteria, Byam School
etorium, Westland School Cafeteria, McCarthy Middle School
ll Gymnasium, McCarthy Middle School Small Gymnasium, and Town
ice Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence

William E. Spence,
Constable

rue Copy Attest, William E. Spence
William E. Spence, Constable

TOWN ELECTION APRIL 7, 1992

*indicates candidates for re-election

OFFICES and CANDIDATES	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
SELECTMAN 3 Year Terms (2)										
Blanks	130	168	108	169	173	141	150	153	110	1302
Robert P. Joyce	272	136	129	190	242	192	193	160	235	1749
William F. Dalton	154	202	117	183	177	136	131	222	96	1418
Peter V. Lawlor	277	221	335	299	377	457	408	265	308	2947
Jeffrey A. Brem	240	217	231	306	247	342	273	188	241	2285
John C. Ferreira, Jr.	62	51	32	145	71	45	65	50	40	561
Jeffrey W. Stallard	41	151	66	39	54	36	33	101	44	565
Wayne D. Richardson	33	17	12	47	101	16	28	34	48	336
Christine A. Gleason	198	203	260	179	241	195	229	190	184	1879
Write-In	1	0	0	1	2	0	2	4	0	10
Misc	0	0	0	0	1	0	2	1	0	4
TOTAL	1408	1366	1290	1558	1686	1560	1514	1368	1306	13056
SCHOOL COMMITTEE 3 Year Terms (2)										
Blanks	494	500	395	546	552	524	485	476	422	4394
Carl A. Olsson*	466	457	448	539	562	557	521	457	435	4442
Wendy C. Marcks*	435	404	443	461	563	475	498	423	442	4144
Write-In	12	0	1	9	3	2	8	6	4	45
Misc	1	5	3	3	6	2	2	6	3	31
TOTAL	1408	1366	1290	1558	1686	1560	1514	1368	1306	13056
LIBRARY TRUSTEE 3 Year Terms (2)										
Blanks	404	435	328	492	497	443	437	410	329	3775
Susan G. Koeckhoven	418	254	329	394	459	438	425	338	405	3460
Jaclyn Dolan Matzkin	184	342	267	241	268	223	217	258	178	2178
Sarah L. Warner*	399	333	366	429	461	452	432	361	392	3625
Write-In	2	0	0	0	0	3	0	1	1	7
Misc	1	2	0	2	1	1	3	0	1	0
TOTAL	1408	1366	1290	1558	1686	1560	1514	1368	1306	13056
BOARD OF HEALTH 3 Year Term (1)										
Blanks	247	220	188	254	283	235	238	227	220	2112
Paul J. Canniff*	451	460	455	522	558	541	514	453	428	4382
Write-In	4	1	0	2	1	1	3	0	2	0
Misc	2	2	2	1	1	3	2	4	3	20
TOTAL	704	683	645	779	843	780	757	684	653	6528
PLANNING BOARD 3 Year Terms (2)										
Blanks	310	320	277	363	370	315	286	308	238	2787
James M. Creegan	256	190	206	265	360	351	283	247	259	2417
John F. McCarthy*	212	239	212	262	249	297	291	225	221	2208
Michael F. McCall	176	242	239	203	196	180	286	180	162	1864
Christian S. Zouzas	182	124	134	143	279	137	161	126	196	1482
Richard P. McClure	151	85	85	176	91	126	99	89	111	1013
Patricia Grant	119	165	136	145	140	153	105	191	119	1273
Write-In	0	0	1	1	1	1	1	2	0	7
Misc	2	1	0	0	0	0	2	0	0	5
TOTAL	1408	1366	1290	1558	1686	1560	1514	1368	1306	13056

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
HOUSING AUTHORITY 5 Year Term (1)										
Blanks	120	115	114	125	172	137	150	113	105	1151
Lynn M. Marcella*	397	299	379	458	446	473	449	338	402	3641
Daniel J. Sadkowski	185	268	152	195	223	166	156	232	146	1723
Write-In	2	0	0	0	1	1	2	0	0	6
Misc	0	1	0	1	1	3	0	1	0	7
TOTAL	704	683	645	779	843	780	757	684	653	6528
SEWER COMMISSION 3 Year Terms										
Blanks	376	385	329	434	488	395	416	386	282	3491
Jacob P. Sartz III	210	200	224	297	262	235	247	227	231	2133
John P. Emerson, Jr.*	368	403	358	399	440	471	417	367	362	3585
Barry B. Balan	450	376	379	426	496	456	434	387	428	3832
Write-In	3	1	0	1	0	3	0	0	1	9
Misc	1	1	0	1	0	0	0	1	2	6
TOTAL	1408	1366	1290	1558	1686	1560	1514	1368	1306	13056
CONSTABLE 3 Year Term (1)										
Blanks	125	114	93	132	167	140	123	120	110	1124
William Spence*	374	343	295	452	413	421	382	321	328	3329
Robert Hohmann	204	225	255	194	262	216	252	242	214	2064
Write-Ins	1	1	2	1	1	3	0	1	1	11
TOTAL	704	683	645	779	843	780	757	684	653	6528
CEMETERY COMMISSION 3 Year Term (1)										
Blanks	247	218	206	248	285	255	258	219	220	2156
Gerald L. Hardy*	447	464	436	527	552	522	495	461	430	4334
Write-In	9	1	0	2	4	2	2	2	2	24
Misc	1	0	3	2	2	1	2	2	1	14
TOTAL	704	683	645	779	843	780	757	684	653	6528
QUESTION 1										
Blanks	131	125	81	134	129	142	146	106	99	1093
YES	403	398	372	475	481	434	378	420	364	3725
NO	170	160	192	170	233	204	233	158	190	1710
TOTAL	704	683	645	779	843	780	757	684	653	6528

REPRESENTATIVE TOWN MEMBERS MEMBERS 3 year Term (unless specified)

PREC 1 (6)	TOTAL
Blanks	1810
Carl W. Seidel*	379
Marian D. Currier*	364
Scott J. McCaig*	334
John G. Coppinger*	358
Fotine Alexis McCart	268
Paul F. McCarthy	332
Phillip L. Currier*	364
Write-In	13
Misc	2
TOTAL	4224

PREC 2 (6)	TOTAL
Blanks	1408
Bonnie I. Foster*	366
Donna J.K Cooper	177
George F. Abely*	392
Wanda L. Dunn	190
Loretta A. Gelenian*	259
Susan E. Carter	184
Barry T. Bell*	331
Jesse C. Foster	290
Douglas L. Wright	289
Kathryn M. Fisher	200
Write-In	10
Misc	2
TOTAL	4098

PREC 3 (6)	TOTAL
Blanks	1429
William F. Tucker	251
Christine A. Gleason*	406
Katherine C. Harbison	304
Michael F. Curran*	347
Peter Dulchinos	263
John P. Emerson, Jr.	268
Judith Hass*	328
Jonathan C. Stubbs	274
Write-In	0
Misc	0
TOTAL	3870

REPRESENTATIVE TOWN MEETING MEMBER FOR UNEXPIRED 2 YEAR TERM	TOTAL
Blanks	222
Francis J. Miethe	422
Write-In	0
Misc	1
TOTAL	644

*Write-in candidate

PREC 4 (6)	TOTAL
Blanks	2377
Lynn M. Marcella*	461
Robert L. Hughes*	405
Jeffrey A. Brem*	499
Linda J. Allen*	418
Frances T. McDougall*	395
Write In	20
Misc	11
Arthur J. Moores*	88
TOTAL	4674

PREC 5 (6)	TOTAL
Blanks	2375
Stephen J. Mallette	497
Evelyn S. Thoren*	428
Ronald W. Wetmore*	448
Glenn R. Thoren*	398
Dean Carmeris*	425
Karen I Braunschweiger	473
Write-In	12
Misc	2
TOTAL	5053

PREC 6 (6)	TOTAL
Blanks	1997
Carol Lynn Bacon	456
David J. McLachlan*	445
Roger A. Blomgren*	473
Cheryl M. Warshafsky*	401
Edward S. Marshall*	439
Martin A. Gruber*	445
Write-In	24
Misc	0
TOTAL	4680

REPRESENTATIVE TOWN MEETING MEMBER UNEXPIRED 1 YEAR TERMS (2)	TOTAL
Blanks	651
Ralph M. Nebalski	419
Arthur W. Blomgren	462
Write In	24
Misc	2
TOTAL	1558

PREC 7 (6)	TOTAL
Blanks	2550
Leonard W. Doolan III*	424
Kathryn Brough*	391
Dwight M. Hayward*	406
Andrew V. Silinsh*	364
Beyla Makovsky	346
Write-In	61
Misc	0
TOTAL	4542

PREC 8 (6)	TOTAL
Blanks	1946
Adrienne M. Jerome	317
Christopher J. Luppi	288
Shawn M. Kraft	253
Daniel W. Burke*	352
Francis M. Conlin	299
Stanley W. Norkunas*	358
Diane Lewis	284
Write-In	5
Misc	2
TOTAL	4104

PREC 9 (6)	TOTAL
Blanks	1597
Henry T. Emmett	336
Charles A. Piper*	350
Donald L. Elias*	317
Alan L. Moyer*	334
Barbara J. Scavezze*	349
James P. Good*	337
C. Thomas Christiano	270
Write-In	16
Misc	12
TOTAL	3918

REPRESENTATIVE TOWN MEETING MEMBER FOR UNEXPIRED 2 YEAR TERM	TOTAL
Blanks	309
Jocelyn G.F. Anthony	441

ANNUAL TOWN MEETING
APRIL 27, 1992

The Annual Town Meeting was called to order at the Parker School Cafetorium at 7:45 PM by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 144 Town Meeting Representatives present.

The Moderator made some procedural announcements. He pointed out the fire exits. Also all Representatives should have received when checking in. the new Town Meeting by-laws. The Moderator's rules and recommendations were also available to the newly elected Representatives. He then announced that Thursday April 29th was going to be the Annual Student Government day at the High School. He read the list of students participating and the offices that they would be holding.

SELECTMEN
Aaron Bates
Matthew Doyon
Erin Ready,Chairperson
Andy Rubenstein
Mike Sablone

SCHOOL COMMITTEE
Michelle Brissette
Jen Mara
Jeff Metivier
Jill Moloney
Lori Sandler

HOUSING AUTHORITY
Jeff Cancella
Jeff Cantara
Heather Mahon

PLANNING BOARD
Michelle Dery
Kelly Gleason
Peter Kalpas

STATE SENATOR
Edwin Jeremy Quimby

WIRING INSPECTOR
Ted Crane

CEMETERY COMMISSION
Christoper Avery
Mathew Gannon
Christopher Maille

TOWN CLERK
Kate Petersen

SUPERINTENDENT OF BUILDINGS
Derek Warshafsky

BUILDING INSPECTOR
Steven Beaucher

DPW DIRECTOR/ENGINEER
Elizabeth Palm

SUPERINTENDENT OF SCHOOLS
Tracy Sullivan

SEWER COMMISSIONERS
Joseph Balan
Andrew Booth
Timothy Gonsalves

TOWN MANAGER
Renne Couture

BOARD OF HEALTH
Kim Baker
Stacy Keane
Lindsay Wells

CEMETERY SUPERINTENDENT
Robert Luhrs

TOWN CONSTABLE
Rick Sacnetti

SUPERINTENDENT OF STREETS
Daniel Nakamoto

TOWN MODERATOR
Chris Parke

FINANCE COMMITTEE
Lynne Adams
Matthew Amerson
John Holladay
Amy Milinazzo

BOARD OF ASSESSORS
Amy Graig
Leah Goldman
Paula Makarewicz
Djwan Scott

LIBRARY TRUSTEE
Jackelyn May
Michelle McCuller
Jennifer Pattison

COUNCIL ON AGING DIRECTOR
Gradon Tripp

POLICE CHIEF
Thomas Harrington

ASS'T POLICE CHIEF
Marybeth Feeney

FIRE CHIEF
Alicia Goldman

ASS'T FIRE CHIEF
Mike Moriarty

TREASURER/TAX COLLECTOR
Jennifer Cyrkler

VETERAN'S AGENT
Karen Rafferty

TOWN ACCOUNTANT
Steve McNally

STATE REPRESENTATIVE
Brandon Young

A round of applause followed the announcement.

The Moderator then read his recommendations on the procedures of conduct for Town Meeting.

Selectman Jeffrey A. Brem moved that the reading of the Constable's return of service and posting of the warrant be waived. It was so voted unanimously, by a show of hands.

Selectman Jeffrey A. Brem moved that the reading of the entire warrant be waived. It was so voted unanimously, by show of hands.

UNDER ARTICLE 1 Selectman Jeffrey A. Brem moved that the Town vote to hear the reports of the Town Officers and Committees.

The Moderator explained that the only committee report to be heard was that of the Stipends and Benefits Committee. This committee was formed as the result of Article 5 of the October 21, 1991 Town Meeting. The Committee was comprised of one member from each precinct. It's purpose was to investigate the Town's stipend structure and benefit laws, and report the findings at the next Annual Meeting.

Dean Carmeris, Chairman of the Committee gave the committee's report. The Committee's purpose was to stucy the issue of benefits available to elected and appointed officials who receive a stipend. The tradition of paying stipends in some cases goes back to at least 100 years. The Finance Committee raised the issue by submitting an article at the October meeting, and the body voted to appoint a committee to further study the situation. They reviewed only the insurance benefits issued to appointed and elected Town Officials. No other employees, or compensation was considered. The Committee gathered information from surrounding cities and towns that compared to Chelmsford in

size and type of Government. He spoke to the personnel who presently administer the benefits, and discussed all the information at hand and as a result have submitted article 10 of the Special Town Meeting scheduled for this evening.

He went on with a brief history of the benefits. In 1961 the Town voted to accept Chapter 32B of the M.G.L. This would allow the Town to provide certain benefits for certain people in service with the Town. Anyone receiving a stipend would be eligible to receive benefits. Presently these employees may participate in a medical health plan, which costs the Town $4,250 per family plan. They are eligible for a $5,000. term life insurance plan, which costs the Town $42.00 per person, and they are allowed optional enrollment in the pension plan. After ten years of continuance service, if the person retires, he/she is eligible for continued medical and life insurance benefits. In the event of death, the spouse of this person is also guaranteed continued coverage, if on the medical plan at the time.

A discussion took place. William Spence questioned why he did not receive any type of questionnaire in order to submit his views about the situation. Dean Carmeris said that the committee felt that due to a member being one of the officials who did participate in the health plan, those views would be represented. Mark Gauthier came forward and said that at the December meeting he requested the Committee to contact any and all officials who were receiving the benefits so that they may express their concerns, however, the committee felt this step need not be done since the majority was against stipends. Andrew Silinish questioned if the benefits could be dropped after a person was elected or appointed, and their term of office was not up yet? According to the Town Manager and council, this could be done. Any present retired official would continue to receive the benefits if article 10 passes. The Moderator reminded the body that this was only a report, any debate and further discussion should take place under the actual article. He then asked for a show of hands to accept the report as presented. Motion carried.

The Moderator made a point of order. The Annual Town Meeting was going to be adjourned at this time, in order to take up the Special Town Meeting which was posted for 7:30 PM. At the conclusion of the Special Town Meeting, he will reconvene the Annual Town Meeting.

Selectman Jeffrey A. Brem moved to adjourn the Annual Town Meeting in order to proceed with the posted Special Meeting. The Finance Committee and the Board of Selectmen were in favor of the motion. The Moderator asked for a vote by way of a show of hands, motion carried. The Annual Meeting was adjourned at 8:10 PM.

SPECIAL TOWN MEETING
APRIL 27, 1992

The Special Town Meeting was called to order at the Parker School Cafetorium at 8:10 PM by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There

were 144 Town Meeting Representatives present.

The Moderator then asked permission from the Town Meeting body to allow certain people to speak when necessary. These people were non-residents and either represented certain parties in some of the upcoming articles, or would have information needed for discussion. He listed those people:
For Article 5, Jim Mawn and Paul Davis. For Article 9, Drew Leff, Barbara Housman Carye, Dean Skiff and Joseph Spanos. For Article 11, Edna Boyle, Paul Goss, Malea Hughes, Hank Sherman and Janine Ward. The Moderator asked for a vote by a show of hands, motion carried.

Selectman Jeffrey A. Brem moved that the reading of the Constable's return of service and posting of the warrant be waived. It was so voted unanimously, by a show of hands.

Selectman Jeffrey A. Brem moved that the reading of the entire warrant be waived. It was so voted unanimously, by show of hands.

Selectman Jeffrey A. Brem moved to take article 2 out of order. Selectman William R. Logan explained that the Board of Selectmen wanted to take article 2 out of order, and have it be acted upon before article 1. The Board wanted to know the outcome of the proposed by-law change, prior to voting on the override question. The Finance Committee was in favor of the proposed motion. The Moderator asked for a show of hands on the motion, so voted.

UNDER ARTICLE 2 Selectman William R. Logan explained that this article would protect the monies voted on for the 2 1/2 override for solid waste. The monies could only be used for solid waste and not for any other department's budget. The Finance Committee was in favor of the article.

Joel Karp moved to amend the article by deleting the paragraph shown and inserting in its place the following wording:

A:
In the event that funding for any or all solid waste programs are derived from a Proposition 2 1/2 override, then those funds shall be exclusively used for such services for fiscal year initially authorized for and all future years.

The Town Manager shall, when presenting a budget to Town Meeting, specifically account for such funds.

In the event that Town Meeting shall fail to appropriate all or any part of the funds for such services, the unused amount of the Proposition override shall not be raised nor shall it be used for any other purpose.

B:
Any and all funds received by the Town from the sale of materials collected and or marketed through any of the solid waste programs shall be used only for the purposes contained in this bylaw.

Joel Karp explained that this would definitely lock any override monies specified for solid waste only to be used in that budget, it could not be used for any other purposes. Any monies raised through the solid waste program would be put back into the solid waste program.

This article guaranteed that no other budgets could take any funds from the trash budget. Bernard Ready wanted to know what provisions would be made to guarantee that any increased cost for trash won't be taken out of other departmental budgets?

Town Manager Bernard Lynch explained that most likely the cost per ton will increase after three years. The contract beginning July 1st, reflects a cost of $45.00 per ton. The previous contract was $76.00 per ton. The Town is only allowed to increase the tax levy by 2 1/2 % each year. If in three years the contract does increase back to the $76.00 per ton, then there would not be enough money raised to cover costs. The difference will be made up from either available funds within other budgets or go back to the voters with an override requesting the additional funds.

The Moderator asked for the Finance Committee's recommendation on the motion to amend. The Finance Committee recommends the article. The Board of Selectmen were in favor of the motion to amend. Discussion took place.

Barbara Scavezze moved to amend the amendment by adding after the first paragraph, "All such Solid Waste Programs shall include service to all single family residences and all multi-family complexes." She explained that the override includes funding for the multi-family complexes. and after meeting with the people who lived in these complexes, they wanted to be guaranteed that their trash would be picked up by the Town if the override passes.

The Moderator asked for the Finance and Selectmen's recommendation on the motion to amend, both boards were in favor. He then asked for a vote by way of a show of hands on the motion to amend the amendment, motion carried.

Bernard Ready moved to amend the amendment by adding:

"C. Any money raised and appropriated for solid waste programs shall come from a proposition 2 1/2 override, or collected from solid waste fees."

He felt that if more money is needed in the future then it would be funded only through an override, or fees and not by cutting any other budget.

The Moderator asked for the Finance Committee's recommendation. The Board did not have one at the present time. He then asked for the Selectmen's recommendation. The Board felt that it would hinder both the Town Meeting and the Town Manager with the budget process and does not support the motion. After reviewing the motion, Town Counsel James Harrington ruled the motion out of order. It would control future town meetings and the action that could be taken.

More discussion took place. The Moderator asked for a show of hands on the motion to amend. Motion carried. He asked if there was any need for discussion on the motion as amended. Barbara Scavezze said that the Solid Waste Committee supported the motion. The Moderator asked for a show of hands on the motion to amend. Motion carried. The article reads as follows:

Selectman Jeffrey A. Brem moved that the Town vote to amend the General By-laws Article VIII Waste Disposal, Section 8. Solid Waste Recycling, and Hazardous Waste Disposal Programs, Subsection 8.4 by adding the following paragraphs.

A:

In the event that funding for any or all solid waste programs are derived from a Proposition 2 1/2 override, then those funds shall be exclusively used for such services for fiscal year initially authorized for and all future years. All such Solid Waste Programs shall include service to all single family residences and all multi-family complexes.

The Town Manager shall, when presenting a budget to Town Meeting, specifically account for such funds.

In the event that Town Meeting shall fail to appropriate all or any part of the funds for such services, the unused amount of the Proposition override shall not be raised nor shall it be used for any other purpose.

B:

Any and all funds received by the Town from the sale of materials collected and or marketed through any of the solid waste programs shall be used only for the purposes contained in this bylaw.

UNDER ARTICLE 1 Selectman Jeffrey A. Brem moved that the Town vote to support the Ballot question seeking approval of an override of Proposition 2 1/2 for the purpose of funding Municipal Household Solid Waste/Recyclable Collection for all Single Family Homes and all Multifamily Residences.

Chairman of the Board of Health, Mark Gauthier explained why the override is necessary. The follow up cost factor involved with the present bag and tag system is extremely high. He stated that throughout the town, illegal dumping was going on. Private dumpsters, roadsides, open areas were all subject to the abuse. The Board of Health, and the Town Manager's office have received numerous complaints. In some cases the area has been a health issue. He indicated that a display of pictures had been set up in the hall showing the different sites and amount of trash the Board of Health had recently been involved in picking up. The possibility of contacting hepatitis B is of great concern. A staff member of the Board of Health had contacted hepatitis B and it was felt that it was a result of removing illegal trash. The Board of Health reviewed the contents of the contract along with the members of the Solid Waste Committee and feel that the present health concerns will be addressed more satisfactory and at a lessor cost with the proposed bid.

rather than the present bag and tag system. He urged for support of the override question which will appear on the May 27th Special Election. The Moderator asked for the Finance Committee's recommendation. The Finance Committee was in favor of the article, and requested the Town Manager to make a presentation showing the cost factor involved.

Town Manager Bernard Lynch showed the breakdown of the contract in the three year stages:

Contracts	Yr 1	Yr2	Yr3
Trash Collect Max. yrly	447,088	477,003	498,519
Disposal	877,500	936,000	975,000
19,500 tons	($45/T)	($48/T)	($50/T)
Recycling Max Annual	286,365	300,560	311,891
Leaves - 3 collections	15,000	16,500	18,000
-Drop-Off-	2,500	3,000	3,500
	$1,628,453	$1,733,063	$1,806,910
Other (2.5% Inc.Yr)			
Leaves - Composting	7,000	7,175	7,354
Employee 10 hours/wkly	6,000	6,150	6,304
Flyer with postage	3,000	3,075	3,152
Christmas Tree Drop-Off	1,000	1,025	1,051
	17,000	17,425	17,861
TOTAL AMOUNT EACH YEAR	$1,645,453	$1,750.488	$1,824,771
existing municipal	-85,000	-91,110	-95,754
GRAND TOTAL	$1,560.453	$1,659,378	$1,729.017

The Town Manager then showed the cost break down per household with either system:

Bill & Tag System:**

	1Bag/wk	2Bag/wk	3bag/wk	4bag/wk	5bag/wk
1 Family	$123.85	$170.65	$217.45	$264.25	$311.05
M-Curb	100.50	147.30	194.10	240.90	287.70
M-Dump	86.75	----------same----------			

Override Approved:
Standard Deduction on Income Taxes

$100,000	72.00	----------same----------
$150,000	108.00	----------same----------
$200,000	144.00	----------same----------

**The Users Fees per household:
Solid Waste Collection:

Single Family	42.00	
Multi-Family/curbside	30.00	
Multi-Family/dumpster	25.00	
Plus		
Trash tags	.90	
Dumpsters	40.00	/unit
Bulk tags	7.00	
Recycling:		
Single Family	35.00	
Multi-family/curbside	23.70	

A discussion took place. Questions were asked and answered by the Town Manager. Why was a special election being called. He explained the exact cost had to be decided and that the bids had gone out and weren't due in until a week after the Board of Selectmen had met. The Board felt that the question should reflect the true cost needed for the override rather then estimate the cost and then be short or over the amount needed. A question was asked on how many households hadn't paid the user fees. There were at least 500. What guarantee was there that the present situation of illegal dumping would be taken care of? The Board of Selectmen felt that due to the fact that households won't have to deal with weekly stickers and the yearly user fee, that the trash would be put out legally each week at the curbside. Federal regulations regarding recycling will be the vendor's responsibility and not the Town's. The Finance Committee recommended the article. The Board of Selectmen support the motion. More discussion took place. John Emerson moved the question. The Moderator asked if there was a need for further discussion by way of a show of hands. Motion carried, unanimously. He then asked for a show of hands on the article, motion carried.

UNDER ARTICLE 3 Jeffrey A. Brem moved that the Town vote to amend the General By-Laws Article VIII Waste Disposal, Section 8. Solid Waste, Recycling, and Hazardous Waste Disposal Programs, Subsection 8.5 by adding the following paragraph:

"Not withstanding the above, the Manager may negotiate contractual terms whereby the Town's selected contractor manages and administers the annual fee for the collection, transportation, and/or disposal or marketing of solid wastes and recyclables in which event fees may be made directly to the contractor and shall be accounted for under the terms of the contract."

Town Manager Bernard Lynch explained the article. This is to allow the vendor of the trash contract to administer a trash billing system, if need be. If the override passes this would not be necessary. The vendor's cost would be 85 cents per household. If the Town was to do the billing, the cost would be $2.50. The philosophy is that the vendor should bear the burden and the risk of charging for the service that they are providing. The Town would only pay for the disposal of the public waste. That is the figure that appears in the solid waste budget. The Finance Committee and the Board of Selectmen recommend the article.

Joel Karp question where does the money sit? He felt that the money being collected is town money, for a town program. Under state law all town money must be given to the Treasurer of the town, who shall deposit it into a bank, and make suitable investments. He didn't mind that the billing was being done by the vendor, as long as the money is accounted for and insured. He then moved to amend the article. by deleting it and having the following wording:

"Notwithstanding the above, the Town Manager may negotiate contractual terms whereby the Town's selected contractor manages and administer the annual fee for the collection, transportation, and/or disposal or marketing of solid wastes and recyclables in which event fees may be made directly to the contractor and shall be accounted for under the terms of the contract. Such funds that remain in the contractor's control and/or custody shall be fully collateralized, insured or backed by a surety bond to full amount of such funds. Such collateral, insurance or surety bond shall be in addition to any performance or similar bond required in accordance with statutory requirements, town bylaw or policies establisned by the Town Meeting, Board of Selectman, Town Treasurer or Town Manager.

The Contractor shall account for such funds on a monthly basis to the Town Treasurer."

Joel Karp explained the purpose. If the town decided to leave the money with the contractor then the town would have a bond so that the money would be assured. This is known as an surety bond, which is different from a performance bond. If the contractor doesn't go out and pick up the trash and the town has to find another vendor to pick up the trash ther the provisions of the performance bond is applied. However, if the money is not accounted for, or embezzled or the vendor goes out of business then the provisions of a surety bond would apply. The Moderator asked for the Finance Committee's recommendation. The Finance Committee wanted to hear Town Counsel's opinion. Town Counsel James Harrington said that there was no problem with the motion to amend, but the decision of negotiating a contract to included a surety bond or performance bond is the decision of the Town Manager, t does not require a by-law to do this. The Finance Committee supported the motion because it makes good business sense. Ed Hilliard questioned if the new contract would have to be re-negotiated to included a surety bond? The Town Manager explained that the specifications were to provide a performance bond which he felt was adequate. Any changes in the initial bonding would not be allowed and the town would have to assumed the cost of the bond. Ed Hilliard asked if would it then make sense to leave the money in the treasury and pay out to the contractor as he performs? The Town Manager explained this would not save the town money because the administration costs of the bid would not be utilized which was part of the town's savings. Ed Hilliard asked if perhaps this whole matter should be tabled until the next meeting, and in the mean time the additional costs could be figured out and reported back? The Town Manager asked that the original article be passed as presented and that he would check with the vendor to see if a surety bond could be obtained even though again he felt that the performance bond was adequate. More discussion took place. The Moderator asked for the Board of Selectman's recommendation on the motion to amend. The majority of the Board was not in favor due to the possibility of costing more money. More discussion took place. The Moderator asked for a show of hands on the motion to amend. Motion defeated. He then asked if there was any need for further discussion. Hearing none, the Moderator asked for a show of hands on the article as originally presented, motion carried.

UNDER ARTICLE 4 John P. Emerson, Jr, Chairman of the Sewer Commission, moved that the Town vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easements in Chelmsford, Massachusetts, Phase IIC Sewers" Dated January 31, 1992 prepared for the Chelmsford Sewer Commission by Richard F. Kaminski & Associates, Inc., a copy of which is on file in the office of the Town Engineer and Town Clerk and is incorporated herein by reference, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto.

Chairman of the Sewer Commission, John P. Emerson Jr., explained that this was in conjunction with an override vote done in 1980. There was no money involved. Both the Finance Committee and the Board of Selectmen were in favor of the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 5 Christine Gleason moved that the Town vote to amend the existing Town of Chelmsford Zoning Map by removing the following described property on Littleton Road owned by C.L.M. Realty Trust, consisting of 1.68 acres and 7,628 square feet of land with the buildings thereon from limited industrial District (IA) and Residential District (RB) and placing all of said property in a General Commercial District (CD):

Northerly	by the southerly line of Littleton Road, 490.05 feet;
Easterly	by land now or formerly of Raymond T. Osborn, et al, 119.48 feet;
Southerly	by land now or formerly of the New York, New Haven, and Hartford Railroad Company, 488.74 feet;
Westerly	by land now or formerly of Stephen W. Flannery, et al, 197.79 feet.

All of said boundaries are determined by the Land Court to be located as shown on Plan 29525A drawn by Brooks, Jordan and Graves, Civil Engineers, dated July 23, 1959 as modified and approved by the Land Court, filed in the Land Registration Office, copy of a portion of which is filed with Certificate of Title 11381. Property is also identified on the Board of Assessors Map 174 as Lot 31 and 32 which lots are now combined.

Attorney James Geary who represented the Mawn Family explained where the location of the property was. The location was that of the former Chelmsford Ginger Ale plant. The Mawn family has owned this property for approximately the last thirty years. It involves two acres of land which is zoned presently for the most part (IA) Industrial District,

and (RB) Residential. The Mawn family would like the entire piece to be rezoned (CD) Commercial District. If the body approves the rezoning, then the buildings involved would be removed, and a single story colonial office building would be built in its place. This would require two special permits from the Planning Board. One being a site plan detail review and the other a major business complex permit. The major business complex permit would require a traffic study input. In addition plans would be made to work with the neighbors concerning driveway locations etc. The days for a warehouse building being located in the center of town are gone and that this proposal would be more acceptable. Questions were asked concerning the traffic impact. Michael Anthony expressed concerns about losing the residential zone. It was the Building Inspector's recommendation to follow the actual property lines when re-zoning. Ralph Hickey said that the proposed location would affect him, due to being located directly across from the property. He was in favor of the over all improvement, but still expressed his concerns of the effect of traffic and the entrance.

The Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. The Moderator asked for the Planning Board's recommendation. Chairman of the Planning Board, James Good read the Board's recommendation:

The Planning Board held a public hearing on the above mentioned issue on February 26, 1992. At the meeting of March 11, 1992, they voted unanimously to recommend (6-0) a zoning change of the described property from Limited Industrial District (IA) and Residential District (RB) and placing all of said property in a General Commercial District (CD).

Bernard Ready who is a one of the directors of the Chelmsford Historical Society, said it was sad that this property would have to be torn down, however it is an eye soar. He met with the architect and was assured that an historical information would be taken into consideration when designing. Either by saving the sign or possibly naming it Ginger Ale Park. He felt that with the present economy the town should support a business who wants to locate in town. He asked for support of the article. Andrew Silinish questioned if this property couldn't be rented out then what would be accomplished if the owner requests tax breaks. James Geary stated that there were definite tenants interested in this location. The Moderator attempted a vote by a show of hands which required a 2/3's vote. The following tellers came forward and conducted a hand count:

Result of the hand count: Yes 115 No 11, 2/3's is 84, the motion carried.

UNDER ARTICLE 6 Selectman Jeffrey A. Brem moved, that the Town vote to amend the General By-laws Article I. General Provisions Section 2 Non-Criminal Disposition of Violations of Any Ordinance, By-law, or Regulations of Any Municipal Officer, Board or Department by deleting the last

paragraph which reads as follows in it entirety:

"Any person notified to appear before the Clerk of a District Court herein before provided may so appear and confess the offense charged, either personally or through a duly authorized agent or by mailing to such clerk with the notice such specific sum of money not exceeding two hundred dollars as the town shall fix as penalty for violation of the ordinance, by-law, rule or regulation. Such payment shall, if mailed, be made only by postal note, money order or check. The payment to the clerk of such sum shall operate as a final disposition of the case. An appearance under this paragraph shall not be deemed to be a criminal proceeding. no person shall be required to report to any probation officer, and no record of the case shall be entered in any probation records. If any person so notified to appear desires to contest the violations alleged in the notice to appear, he may avail himself of the procedure established in Chapter 40, Section 21D."

and insert in its place the following:

"Any person notified to appear before the Clerk of a District Court as herein before provided may so appear and confess the offense charged, either personally or through a duly authorized agent or by mailing to the town clerk of the municipality within which the violation occurred together with the notice such specific sum of money not exceeding three hundred dollars as the town shall fix as penalty for violation of the ordinance, by-law, rule or regulation. Such payment shall, if mailed, be made only by postal note, money order or check. Upon receipt of such notice, the town clerk shall forthwith notify the district court clerk of such payment and the receipt by the district court clerk of such notification shall operate as a final disposition of the case. An appearance under this paragraph shall not be deemed to be a criminal proceeding. No person so notified to appear before the clerk of a district court shall be required to report to any probation officer, and no record of the case shall be entered in any probation records. If any person so notified to appear desires to contest the violations alleged in the notice to appear, he may avail himself of the procedure established in Chapter 40, Section 21D."

Town Manager Bernard Lynch explained that the purpose of the article is to administer any violations which occur in the Town. The money will be turned over to the Town Clerk rather than the court system. This would be a minimal change to the by-law which already exists. Edward Hilliard questioned the $200.00 figure vs the $300.00, he felt this was more than a minimal change. The Town Manager explained that this is the exact wording of the state law. The Town can decide the fees of their own by-laws, but not state laws. The Moderator asked for the Finance and Selectmen's recommendation. Both Board's recommended the article. He then asked for a vote by way of a show of hands, motion carried.

UNDER ARTICLE 7 Selectman Jeffrey A. Brem moved to withdraw the article. Planning Board Chairman James Good said that the Planning Board was notified on April 8th by

Attorney Joseph Shanahan that the petitioner wanted to withdraw the article at this time. The Planning Board voted unanimously to support the request. The Board of Selectmen and the Finance Committee supported the motion. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 8 Selectman Jeffrey A. Brem, moved that the Town vote to transfer and appropriate from the insurance Sinking Fund the sum of $7,500.00 to pay deducible payments assessed against the Town under Town Insurance Policies.

Selectman William R. Logan explained the article. The Finance Committee supported the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 9 Selectman Jeffrey A. Brem moved that the reading of the article's description be waived. The Finance Committee supported the motion. The Board of Selectmen supported the motion. The Moderator asked for a show of hands, motion carried, unanimously. Attorney James Geary, representing the Carye Family who owned the property identified this as the Chelmsford Mall. He explained that this article was the same as the one presented at the fall meeting, the only significant change was that of the neighborhood concerns which was expressed by the representatives. Drew Leff gave a brief presentation showing the proposed changes. It was now considered a shopping center. In order to make the propose improvements, the property must be re-financed. The present zoning makes the property non-conforming and this makes the process difficult. Other improvements would be a tenant mix, and in the future would be to add a restaurant, which is allowed in a CC zone but not the CA zone. Landscaping and a new facade are being planned along with a expansion of 10% The expansion is planned for the Bradley side of the mall. He asked for approval and feels that this would be a great benefit and improvement for the town. Once approved then a site plan review will be conducted by the Planning Board and more details will be presented. Ralph Nebalski questioned the traffic issue, and asked if a traffic study had been done. It was explained that it is mandatory for a traffic study to be done when applying for a special permit. A question was raised about the existing septic system and a restaurant being added. The mall has made application to be tied into the sewage system so that will not be a problem. More discussion took place. The Moderator asked for the Finance Committee's recommendation, the committee was in favor of the motion. The Board of Selectmen supported the article. James Good Chairman of the Planning Board, read the Board's recommendation:

The Planning Board held a Public Hearing on the above mentioned issue on February 26, 1992. At that meeting, they voted in favor to recommend (4-1) to Town Meeting a zoning change from Neighborhood Commercial District (CA) and Limited Industrial District (IA) and place said property in a Shopping Center District (CC) of the above described land.

A number of representatives spoke in favor of the article. The Moderator attempted a vote by way of a show of

hands, it left the Chair in doubt. The tellers came forward and conducted a hand count.
The result of the hand count: Yes 123 No 2, 2/3's is 83, motion carried. The article reads as follows:
Christine Gleason of the Planning Board, moved that the Town vote to amend the existing Town of Chelmsford Zoning Map by removing the following described property consisting of 28.5 acres of land with buildings thereon from Neighborhood Commercial District (CA) and Limited Industrial District (IA) and placing said property in a Shopping Center District (CC):

Being a 28.5 ± acre parcel of land situated in Chelmsford, Ma more particularly described as follows:

Commencing a point lying along the southerly R.O.W. Line of Chelmsford Road (Route 110), being a State Highway as laid out July 16, 1903 by the Massachusetts Highway Commission; said point being a stone bound and the "Point of Beginning" of the herein described parcel of land; thence running along said southerly R.O.W. line in a Southwesterly direction in 2 courses being; S82-17-00W, 844.61 feet to a point along a circular curve concave to the left with an arc length of 151.82 feet and radius of 656.80 feet to a point; thence S06-03-59E, 565.94 feet to a stone bound found; thence S80-37-34W, 56.97 feet to a point lying parallel and 50 feet East of the Easterly R.O.W. line of Manahan Street, being a 40' wide public way; thence S39-27-02E, 494.15 feet, along said parallel line of the Easterly R.O.W. line to a point lying at the intersection of the Southerly R.O.W. line of land now or formerly of the New York New Haven Railroad Co.; thence along said railroad R.O.W. line N68-17-04E, 354.84 feet to a point lying at the intersection of said Southerly Railroad R.O.W. line and the Northwesterly corner of land now or formerly of Raymond Carye, being shown as Lot 4D on a plan of land prepared for Carex Realty Trust dated January 23, 1989; thence running along Westerly lot line of said Lot 4D S21-42-56R, 170.00 feet, to a point being the Southwesterly lot corner of Lot 4D and the Northwestern corner of Lot 5A as shown on the herein referenced plan; thence running along the common property line of Lot 4D and 5A as referenced herein N73-14-24E, 250.00 feet and S45-47-33E, 85.87 feet to a point lying at the center line intersection of Katrina Road, a 50' wide public way, and the extension of said property line as shown on the herein referenced plan, thence running along the center line of said Katrina Road being a curved concave to the right having an arc length of 277.86 feet and a radius of 665.00 feet to a point; thence N52-20-29E, 392.21 feet to a point lying at the center line intersection for said Katrina Road and the Westerly R.O.W. line of Glen Avenue, a public 40' R.O.W.; thence running a Northerly direction along said Westerly Glen Avenue R.O.W. in 2 courses being N36-52-48W,217.63 feet to an angle point; thence N03-44-12E, 521.17 feet to a point lying at the intersection of said Glen Avenue Westerly R.O.W. line and the Southerly R.O.W. line of said Chelmsford Road, (Route 110); thence S86-36-00w, 210.66 feet along said Chelmsford Road (Route 110) Southerly R.O.W. line to the center line of Watt Terrace, a 30' private way; thence S04-41-06W, 299.00 feet along said Watt Terrace centerline to a point; thence S86-36-00W, 210.59 feet along Southerly property line of land belonging now or formerly of Watt;

thence running along said Watt's Westerly property line N04-48-10E, 299.09 feet to a point lying along the Southerly right-of-way of said Chelmsford Road and being the "Point of Beginning" of the herein described parcel of land.

Said parcel being a proposed "CC" Zone District containing an area of 28.5 acres and being a portion of a CA (Neighborhood Commercial) CC (Shopping Center District) and IA Limited Industrial) zone as shown on the Town of Chelmsford Zoning Map.

Selectman Jeffrey A. Brem moved to adjourn the Special Town Meeting to Thursday April 30, 1992 at 7:30 PM at the Parker School Cafetorium. The Moderator asked for a show of hands, motion carried, unanimously. The meeting adjourned at 10:55 PM.

Dennis E. McHugh
Moderator

Mary E.St.Hilaire,
Town Clerk

ADJOURNED SPECIAL TOWN MEETING
APRIL 30, 1992

The Adjourned Special Town Meeting was called to order at the Parker School Cafetorium at 7:45 PM by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 135 Town Meeting Representatives present.

The Moderator had a few announcements. He announced ticket information about the up coming High School Play. Also, that absentee ballots are now available for the May 27th Special Election. He wanted all Representatives to note under their listing of Precinct 7 Representatives that Michael Anthony was elected to fill the unexpired two year term on April 27th by the Precinct 7 Representatives.

He asked for permission to allow Sylvester Ingeme, Business Manager for the School Department, and George Allen, Consultant/Engineer of the North Chelmsford Water Department, to speak from time to time on certain articles. Motion carried by way of a show of hands.

Due to a conflict with Article 10 and 11, Dennis McHugh stepped down as Moderator and appointed James Harrington, Town Counsel, as the Acting Moderator for these articles.

UNDER ARTICLE 10 The Acting Moderator James Harrington, read the article and Dean Carmeris, Chairman of the Stipends and Benefits came forward and explained the article. This article is the result of the findings of the Committee which was appointed last fall at the fall annual meeting to study the issue. The Committee felt that Elected and Appointed Officials should be reimbursed for any expenses that may occur while holding office. The expenses shouldn't exceed the amount of the stipend that they presently receive. Officials should not receive any stipend because that makes them eligible to receive other benefits, such as health and life insurance, and retirement. The health benefit continues for the spouse after the official has passed away. There are other committees that put in many hours of work and do not receive any compensation. A discussion concerning the paying of benefits took place. How much money is paid in benefits? The Committee wasn't quite sure, because of record keeping, they had a difficult time obtaining information on the total amount spent on health coverage. Presently at least four elected officials are on the Town's Health plan. The Committee felt that in order to eliminate the expense of benefits, stipends would have to be eliminated. Cheryl Boss of the Finance Committee explained that the yearly cost was estimated to be $13,600.00. The amount may not seem like a lot, however over the course of many years the amount adds up. Initially this was the Finance Committee's article, and it was meant to bring forth an educational process, to make people aware that elected and appointed positions are entitled to receive added benefits which costs the Town money, besides the stipend pay. People should volunteer to serve on boards, not because of the fact that stipend and benefits are available. Sandra Kilburn questioned the positions reported in the paper. Certain positions must be

paid according to state law, such as the Registrars. How can the Town not pay them. The Committee wasn't aware that some of these positions mentioned were entitled to receive monies. The Acting Moderator/ Town Counsel, explained that if statue states that a position must paid a salary, then this procedure will continue and it is not considered a stipend, therefore it would not be effected by this proposed change. Many questions were asked and answered. Dennis Ready pointed out that the Town Clerk position is an appointed position. Wouldn't this by-law change effect that individual? Dean Carmeris felt that it wouldn't. The Acting Moderator/Town Counsel explained that this article would effect only those positions that appear in the budget as a stipend article. Not any individual who receives a salary. More discussion took place. Brad Emerson moved to table the article until the Fall session so further investigation into the actual costs could be made. Ed Hilliard questioned that if an article is tabled, and not removed from the table, then the article is never voted on. The Acting Moderator said that this is correct. The Acting Moderator asked for a show of hands, motion defeated. A lengthy discussion took place. A number Representatives spoke against the article. William Spence, who is the Town's Constable explained that he is allowed to charge a certain amount for serving and posting warrants. There are nine precincts and the Town Office Building location. He receives $50.00 for posting at these ten locations, which is $5.00 per posting, and it takes at least two hours. The State statue sets his fee. He could by right charge $28.50 for each precinct that he posts in. He also serves for the various departments in the Town, and charges a flat rate fee. No matter how many times he must return to the location. He feels that he has never charged the "going rate", and that last year alone had saved the Town approximately $3,000 to $4,000 dollars. John Emerson explained all the work that the Town Physician does for a fee of $1500.00 per year. Barbara Scavezze moved to amend the article for Selectman Lawlor by amending the second paragraph first sentence: "Appointed and elected officials shall be entitled to receive a reimbursement for all documented expenses incurred during the execution of their duties." And to delete the second sentence of paragraph two. Peter Lawlor explained the motion to amend. The Acting Moderator asked for the Finance Committee's recommendation on the motion to amend. The Finance Committee was against the motion. The Board of Selectmen had no recommendation at this time. Samuel Poulten said that if people started charging the Town for their actual time and expense then it would far exceed the amount being paid in stipends. People still run for School Committee knowing that there certainly no benefits or stipends involved. He wanted to know just how much money would be saved if stipends were eliminated. Dean Carmeris said that the Committee didn't necessary want to not pay stipends, however in order to eliminate the expense involved with the health benefits, stipends should no longer be paid. The exact cost saving figure was not readily available because it would include all the presently retired employees. More discussion took place. Dennis Ready moved the question. The Acting Moderator asked for a show of hands on the motion to stop debate. Motion carried, unanimously. He then asked for a show of hands on the motion to amend. Motion defeated. Back to the main motion. The Acting Moderator asked for the

Finance Committee's recommendation. The Finance Committee supported the article. The Board of Selectmen decided not to take a position on the issue. Elizabeth Marshall urged for passage. She felt that this was the time to put all officials on the same equal level. Then no one would have to consider who should get a stipend for the amount of time etc. that one committee contributes vs another committee or individual. Ed Hilliard stated that he agreed with Elizabeth Marshall, stipends should be eliminated. Perhaps the individuals should be paid like in industry, as consultants, when they work they get paid. He pointed out that in the event an individual or Committee can justify the need for a stipend then according to the third paragraph the Representatives after a vote, may choose to pay one. More discussion took place. James Sousa felt that before any stipends are eliminated perhaps this should be tabled in order to allow the individuals involved to be able to express their views especially after some people have contributed twenty to thirty years of service to the Town. John Emerson of the Board of Health, reminded the Representatives again about the position of Town Physician, and that many of the other individual positions are filled by people who certainly would be paid a lot more money if paid as a consultant to a Board. Michael Anthony moved the question to stop debate. The Acting Moderator asked for a show of hands, motion carried. He then asked for a vote by way of a show of hands of the article. This left the Chair in doubt the following tellers came forward: Dorothy Frawley, Patricia Plank, Lucy Simonian, Jean Horgan. Results, Yes 60 No 66, majority needed, the motion is defeated. (see the wording of this article in the warrant)

UNDER ARTICLE 11 Christine Gleason Planning Board member, moved that the Town vote to amend the Zoning By-law passed and as most recently amended entitled "Zoning By-Law of the Town of Chelmsford" as follows:

Under "ARTICLE V. DEFINITIONS

Adult Entertainment Establishments:

Massage Service Establishments:

(b) The practice of massage shall not include the following individuals while engage in the personal performance of duties of their respective professions:

a. Physicians, surgeons, chiropractors, osteopaths, or physical therapists who are duly licensed to practice their respective professions in the Commonwealth of Massachusetts.

b. Nurses who are registered under the laws of the Commonwealth of Massachusetts.

c. Barbers and beauticians who are duly licensed under the laws of the Commonwealth of Massachusetts, except that this exclusion shall apply solely to the massage of the neck, face, scalp, and the hair of the customer or client for cosmetic or beautifying purposes."

By adding the following exclusion as "subsection d." to the existing by-law definition of Massage service establishments:

"ARTICLE V. DEFINITIONS

Adult Entertainment Establishments:

Massage Service Establishments:

(b) The practice of massage shall not include the following individuals while engage in the personal performance of duties of their respective professions:

a. Physicians, surgeons, chiropractors, osteopaths, or physical therapists who are duly licensed to practice their respective professions in the Commonwealth of Massachusetts.

b. Nurses who are registered under the laws of the Commonwealth of Massachusetts.

c. Barbers and beauticians who are duly licensed under the laws of the Commonwealth of Massachusetts, except that this exclusion shall apply solely to the massage of the neck, face, scalp, and the hair of the customer or client for cosmetic or beautifying purposes."

d. Massage therapists who are duly permitted to practice under the Rules and Regulations of the Chelmsford Board of Health.

Dennis McHugh, represented Harriett Fishman who had petitioned for this zoning change. He gave a presentation explaining the use of massage therapy. The Board of Health would be responsible for the rules and regulations involved with massage therapy. This is to allow the practice of massage therapy to exist in the Town. Harriett Fishman came forward and explained her educational background. Two of her patients came forward and spoke on behalf Harriett Fishman and her use of massage therapy. A discussion took place. Where would the location be? Dennis McHugh explained. First in order for this to even be considered, a zoning change is required in order to allow message therapy to take place any place in Town. Harriett Fishman would like to operate this out of her home, however this would require a home occupation permit from the Board of Appeals because of being in a residential area. If she decided not to petition the Board of Appeals, then the business would be in an office setting in a business zone. James Good, Chairman of the Planning Board read the Board's recommendation:
The Planning Board held a public Hearing of the above mentioned issue on March 11, 1992. At the meeting of March 25, 1992, a decision was rendered in favor (5-1) and with (1) one abstention) to recommend to Town Meeting the above mentioned change in the Zoning By-laws of ARTICLE V. DEFINITIONS - Adult Entertainment Establishments, Massage Service Establishments, the addition of the exclusion "subsection d. to the existing by-law definition.

The Acting Moderator asked for a vote by way of a show of hands. This required either an unanimous or a 2/3's vote. The tellers came forward and conducted a hand count. The results: Yes 109 No 6, 77 is 2/3's the motion carried.

Dennis McHugh returned to the Chair as Moderator, and the meeting continued.

(NOTE THERE IS NO ARTICLE 12, WARRANT WAS MISNUMBERED)

UNDER ARTICLE 13 Selectman Jeffrey A. Brem moved to withdraw the article. Town Manager, Bernard Lynch explained that this was the proposal for land taking as a future Library site. The plans had not yet been completed, more work needed to be done. He asked for approval of the withdrawal as it will resubmitted on the fall warrant. The Finance Committee and the Board of Selectmen support the motion to withdraw. The Moderator asked for a vote by way of a show of hands, motion carried.

UNDER ARTICLE 14 Selectman Jeffrey A. Brem moved that the Town vote to rescind a portion of the authorization to borrow funds under Article 8 of the Annual Town Meeting held in 1990 by the sum of $232,345.00 which represents an amount authorized but unused to complete the Mandated Handicap Access Project.

Town Manager Lynch explained that this is the amount of money that would have been borrowed for previous Town Meeting action for a certain Capital Planning item. When a certain amount of money is specifically voted on, then the project or item must be completed or purchased for the amount shown. The money can not be borrowed for any other project or item. This money amount was never borrowed, this is to clear the books. The Finance Committee and the Board of Selectmen support the article. The Moderator asked for a vote by a show of hands, motion carried, unanimously.

Dennis McHugh again stepped down as Moderator. James Harrington, Town Counsel presided over the next article as the Acting Moderator.

UNDER ARTICLE 15 Selectman Jeffrey A. Brem, moved to waive the reading of the meets and bounds. The Acting Moderator asked for a show of hands, motion carried.

Bruce Harper moved that the Town vote to amend the Zoning Map and the Zoning by-laws as follows:

The Zoning Map and accompanying ordinance passed and as most recently amended entitled "Zoning By-Laws of the Town of Chelmsford" is hereby amended by establishing new lines and striking out the designation "Open Space" (OS) District, as shown on said zone map, and substituting in place thereof new lines and designation "Public" (P) District, insofar as said zone map relates to the following described premises. (see the warrant for the wording of the article.)

Dennis McHugh, representing the North Chelmsford Water

District explained the article. The District has proposed that the zoning of a piece of land off Swain Road be changed from Open Space to Public Use to facilitate the purchase of the land by the District and construction of a water tank to serve the needs of the North Chelmsford Water District. The Commissioners have chosen this method to advance the interest of the District to work with the zoning in the town if at all possible. The Commissioners have had a documented shortage of fire flow pressure in the District since 1984 with no significant deficiency. The low fire flow pressure is documented by additional test done in 1989 and 1990 to confirm the situation. The water storage that the District has consists of two tanks located centrally in the District, one of which is 84 years old and surviving much longer than any of its planners ever expected. A engineering report made to the Commissioners in 1989 confirmed that the tank needed extensive repairs and should be replaced. There is approximately 400,000 gallons of usable storage right now. There is a need for 800,000 gallons of additional storage right now. The Commissioners engaged the engineering firm of Dufresne Henry to analyze the District and its needs and make a recommendation. The firm examined the topography of the district and the land use and proposed six prospective locations. The firm expertise supports decentralizing the storage of water. The Northern section of the District consisted of more residential use and lower fire flow pressure presented more of a fire hazard to families and homes in the District and has more open space presenting the possibility of more future development so the Commissioners decided to place the replacement tank in the northern section of the District. The sites located in the northern section was a piece of land located at the rear of Scotty Hollow condominiums on land owned by the North Congregational Church, a parcel of land beside the Groton Road access to Rt 3, a parcel of land at the end of Harding Street and a parcel of land off Swain Road owned by the Sportsmen Club. The Commissioner's analyzed all the sites. They did not negotiate with all owners purchase and sale agreements, or easements or obtain appraisals of taking by eminent domain. Nor did they engage engineers to do further studies to document in detail the specific difference on the entire system of each location. They did compare the location and prospective use of each parcel and they did try to coordinate the data because each site was different having its own difficulties and or advantages. They did compare some of the purchase values of the various sites. The Swain Road site abuts a public way, provides benefits to the northeast direction and a west and southerly direction. The acquisition would require dealing with only one owner with no need for further access. Also the owners were willing to sell so the eminent domain issues could be avoided. He then described the tank. There would be no interaction with the landfill, the water is piped in and piped out. He said that the Commissioner's have been before the Representatives at the previous Fall meeting with the same proposal, and have met with neighbors in an effort to come back with a proposal supported by all the neighbors. Since then significant progress has been made. He then read into the record the following letter from the North Chelmsford Water Commissioners.

"The issue of control over the proposed actions of

the Commissioners of the North Chelmsford Water District has been raised repeatedly as a danger of passage of the zoning change proposed by the District for a water tank on Swain Road. The Commissioners hereby submit this letter of conditions as a covenant with the Town of Chelmsford to allay any fears any concerned parties may have that the Commissioners intend to independently change the plans presented at Town Meeting to the disadvantage and dismay of the neighbors or to use the premises for any other purpose than a water tank.

Should the town Meeting Representatives decide favorably to change the zoning of the land sought by the North Chelmsford Water District for the water tank, the Commissioners hereby agree to build the water tank presented at Town Meeting, the standpipe design, in accordance with the plan presented and to provide the enhancementsto the premises for screening. The Commissioners further agree to provide the enhancements to the land fill access road if permitted by the Town of Chelmsford, on whose land the land fill access road is located. The Commissioners agree that this covenant may be part of any ruling of the Board of Appeals. If the Commissioners are to build the standpipe, because of the height of the structure, they will apply for a variance from the Board of Appeals.

There is no reason within the control of the Water Commissioners that this location would be used for anything other than a water tank. In the event that the zoning change is allowed, no other use described in the use schedule of the zoning bylaw will be made of the parcel. Most uses require special permitting, anyway.

In the very unlikely event that the Commissioners are unable to pursue this location after rezoning to public use for reasons beyond the Commissioner's control, the Commissioners agree to bring a petition to the Town Meeting to re-zone this parcel as Open Space. this would be present to the Town Meeting Representatives at the first appropriate Town Meeting for zoning changes after the site is abandoned as a possibility for the water tank.

The Commissioners acknowledge that they do not control all interested parties and face the possibility that a party beyond the control of the Water Commissioners may choose to pursue actions to delay or prevent the Commissioners from pursuing these plans on this site. The actions of others may dictate actions of the Commissioners but the Commissioners submit that if they are not prevented by other parties, they will complete the plans as proposed.

The Commissioners have an obligation to the water takers in the District and, in good faith, cannot give up their responsibility to their electorate to do their best to construct the needed water tank and cannot not give up any statutory rights or obligations should zoning changes and permitting through this process not be possible.

Thank you for your cooperation.

North Chelmsford Water District

Signed by Bruce H. Clark, Chairman

Dennis McHugh stated that the Commissioners represent an entire district of approximately 2500 users of water They are not developers of industrial parks or multifamily developments and asks that they not be thought about in this way. They are not planning to provide water for the Westford development of Greystone Park. There is developable land in North Chelmsford that they are supposed to support but right now only 200,000 gallons of this tank is for future development. There is a 800,000 gallon storage shortage right now. The Commissioners submit that most of the district supports the proposed site and asks for support of the article.

Numerous questions were asked and answered by the abutters who lived in the area of the site. Sue Olsen questioned if the Planning Board had as required by law, notified all the surrounding cities and towns of the proposed zoning change. The Acting Moderator/Town Counsel responded that to his understanding the Board has. In fact if there is any questions on the procedural issues, the Attorney General will address this once the by-law has been submitted to him for approval. Bob Joyce wanted to know what was different from this site, than the site that was proposed last fall? Dennis McHugh responded that the site was the same, just that the issues raised at the Fall meeting have been addressed. A more detail plan has been presented, plus a covenant. How was this to be paid? A 1.4 million dollar bond would be floated over a thirty year period, the cost would be borne by the North Water takers. George Allen answered questions concerning the building and engineering of the tank. Concerns were raised by people who lived in the Swain Pond area about the drainage methods to be used when draining the tank. This area already has a problem with beavers damming up the pond. It was felt that any added water to the pond would cause damage. It was replied that the tank would be drained every fifteen years. And guaranteed that strict precautions would be taken.

The Acting Moderator asked for the Finance Committee's recommendation. The Finance Committee had no recommendation at this time. He asked for the Board of Selectmen's recommendation, Chairman William Logan responded that a majority of the Board was against the article. He asked for the Planning Board's recommendation. The Chairman of the Planning Board James Good, read the Boards recommendation:

The Planning Board held a Public Hearing on the above mentioned issue on March 11, 1992. At the meeting of April 22, 1992, a decision was rendered in which they voted (4-2) in favor to recommend to Town Meeting Article 15 for an Amendment to the existing Zoning Map and the Zoning By-laws to change from "Open Space" (OS) District to the designation of "Public" (P) District of the attached described land.

A lengthy discussion followed. Kenneth Ferron a direct abutter said that many of the issues had not been fully addressed by the neighbors in the immediate area. Since last fall the alternative sites stated had not been fully explored

as alternative sites. Not against the need for constructing a tank for the additional water, just feels that more questions need to be answered concerning this particular site.

Sue Olsen expressed concerns of the North Chelmsford's Water District public meeting procedures that were held concerning this article. She proposed to amend the article. That any further land needed for the North Water District Commission must be taken by Town Meeting vote. The Acting Moderator ruled this motion out of order.

A number of Representatives spoke in favor of the article. Harry Foster, Ronald Wetmore, George Merrill and asked for support. Brad Emerson moved the question to stop debate. The Acting Moderator asked for a show of hands on the motion. Motion carried, unanimously. He asked for a show of hands on the article. This requires a 2/3's vote, he asked the tellers to come forward and conduct a hand count. The result was Yes 63 No 53, 2/3's is 77 the motion is defeated.

Robert Joyce moved to reconsider article 10. The Moderator asked for a show of hands, motion defeated. Dennis McHugh returned to the podium as Moderator.

Seeing that there was no further business at hand, Selectman Jeffrey A. Brem moved that the Special Town Meeting be adjourned and that the Annual Town Meeting be adjourned to Monday May 4th at 7:30 PM, at the Parker School Cafetorium. The Finance Committee and the Board of Selectmen were in favor of the motion. The Moderator asked for a show of hands, motion carried. The meeting adjourned at 11:05 PM.

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL TOWN MEETING
MAY 4, 1992

The Adjourned Annual Town Meeting was called to order at the Parker School Cafetorium at 7:35 PM by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 142 Town Meeting Representatives present. He announced that Thursday May 7th was the last day to register to vote with the Town Clerk, for the up coming Special Town Election on May 27th.

UNDER ARTICLE 2 Dennis Ready moved that the town vote to amend the Chelmsford Home Rule Charter under Part III, section 3-2 (c), Board of Selectmen Appointment Powers, by deleting the following:

"(c) Appointment Powers
The board of selectmen shall appoint a town manager, a town counsel, town accountant, and a board of registrars of voters (but not including the town clerk). The board of selectmen shall also appoint such other multiple member bodies as may be provided by-law."

and add the following as Part III, Section 3-2 (c):

"(c) The board of selectmen shall appoint a town manager, a town counsel, a town accountant, and a board of registrars of voters (but not including the town clerk). The board of selectmen shall also appoint such policy making or policy advisory committees as they deem necessary, licensing committees, and such other multiple member bodies as may be provided by-law."

Dennis Ready explained the article. That when the Charter became in effect, it divided the executive branch of government duty into two groups. Operational duties which gave all power to the Town Manager and Policies and rights duties to the Board of Selectmen. The language is not clear. Only the Town Manager can appoint people to a committee. So if the Board of Selectmen wants to form a committee to advise themselves on a policy that it wants to draw up, like the Sexual Harassment Policy Committee, the language would not allow the Selectmen to form this committee to advise themselves. This would not take any power away from the Town Manager. He would still make decisions on operational policies. Cheryl Boss spoke against the article. The Moderator asked for a recommendation for the Selectmen. The Board of Selectmen supports the article. Dean Carmeris asked the Town Manager of his opinion on the article. Bernard Lynch said that he had no problem with the article, because he has the power to decide on any operational policy. A discussion followed. The Moderator asked for a vote by way of a show of hands. This left the Chair in doubt. He asked for the following tellers to come forward and conduct a hand count. Dorothy Frawley, Patricia Plank, Jean Horgan, Lucy

Simonian. Result of the count Yes 57 No 46 2/3's is 69 motion is defeated.

UNDER ARTICLE 3 Selectman Jeffrey A. Brem moved that the Town vote to transfer the sum of $18,000.00 from the sale of Graves and Lots to the Cemetery Improvement and Development Fund.

Selectman Logan explained the purpose of the article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 4 Selectman Jeffrey A. Brem moved that the Town vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to enter into compensatory balance agreements, during Fiscal Year 1993, as permitted by General Laws, Chapter 44, Section 53F.

Town Manager Bernard Lynch, explained that this is a yearly article that must be done. The Finance Committee and the Board of Selectmen supported the article. The Moderator asked for a vote by way of a show hands, motion carried, unanimously.

UNDER ARTICLE 5 Selectman Jeffrey A. Brem moved to dismiss Article 5.

Selectmen Logan explained that there were no bills for the previous year and that this article is not necessary, and recommends dismissal. The Finance Committee recommended dismal. The Moderator asked for a vote by way of a show hands, motion carried, unanimously.

UNDER ARTICLE 6 Samuel Poulten moved that the Town vote to accept the provisions of Section 12 of Chapter 188 of the Acts of 1985, the School Improvement Act, in relation to the Equal Educational Opportunity Grant in the amount of $17,207.00 for the Nashoba Valley Technical High School for the 1991-92 School Year.

Samuel Poulten explained that this is the amount of grant money available and that each Town in the district must vote on it in order for Nashoba to receive the grant. The Finance Committee is in favor of the article. The Board of Selectmen recommend the article. The Moderator asked for a vote by way of a show hands, motion carried, unanimously.

UNDER ARTICLE 7 Ruth K. Delaney moved that the Town vote to accept the provisions of General Laws Chapter 59, Section 5, Thirty Seventh A. relative to the exemption of certain real estate from taxation; such acceptance to be effective for fiscal year 1993.

Ruth Delaney explained that this would allow the blind exemptions to be increased $62.50. The present rate is $437.50. If this passed the rate would be $500.00 which is what the other exemptions are. There are 30 blind exemptions. The total cost increase would be $1,875.00. The

Finance Committee and the Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show hands, motion carried, unanimously.

UNDER ARTICLE 8 Selectman Jeffrey A. Brem moved that the Town vote to authorize the Board of Selectmen, for consideration to be determined, to convey and transfer, all right, title and interest, if any, held by the Town , in a certain parcel of land located on Shore Drive, and shown on Assessor's Map 45 as Lot 15, Containing 5,000 square feet of land, more or less, all in compliance with the Uniform Procurement Act, M.G.L. Chapter 30B.

The Town Manager explained that this article refers to the sale of land. In the past abutters have come forth and explained why they want the land in question. Now it is required that any land with a value of over $500.00 must be put out to bid, if the body votes in favor, then this will be done. The Finance Committee and the Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show hands, motion carried, unanimously.

UNDER ARTICLE 9 The Moderator read the article. Selectman Jeffrey A. Brem moved to amend the article by Deleting Burton Lane and reducing the amount to be raised and appropriated to $7.00. Selectman Logan explained that Burton Lane was to be removed from the list because it was not up to specifications at this time, therefore the dollar amount would be reduced by $1.00. The Moderator then read the article again. Selectman Jeffrey A. Brem moved that the Town vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Clerk:

1. Boardwalk
2. Pennsylvania Avenue
3. Waterford Place
4. Braeburn Road
5. Purcell Drive
6. Thornton Lane
7. Meehan Drive

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and to see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and vote to raise and appropriate the sum of $7.00 to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking and vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto.

The Moderator asked for the Finance Committee's recommendation on the motion to amend. The Finance Committee

was in favor of the amendment. The Board of Selectmen supported the motion to amend. The Moderator asked for a vote by way of a show of hands. Motion carried. He then asked for the Finance Committee and Board of Selectmen's recommendation on the motion as amended. Both Boards were in favor of the article as amended. The Moderator asked for a vote by way of a show hands, motion carried, unanimously.

UNDER ARTICLE 10 Selectman Jeffrey A. Brem moved that the Town vote to authorize the establishment of a Revolving Fund under Chapter 44, Section 53E 1/2 for the Recreation Commission for Fiscal Year 1993. The receipts to be credited to the fund shall be from the collection of user and admission fees from recreational programs. The Recreation Commission shall be authorized to spend money from the fund by majority vote for the purpose of purchasing and maintaining equipment and supplies, maintaining property under the control of the Commission, and administering the recreational program of the Town. Expenditures from the Recreation Revolving Fund shall be limited to $40,000.00 during Fiscal Year 1993.

The Town Manager explained that this was an annual article. Recreation in the past had a revolving fund, which couldn't be used to pay salaries. Two years ago this was switched over to be a revolving account, in accordance with a State Law. As a result the Recreation Department is a self supporting department. It must be reported each year on who is using the account, how much is being spent. The Finance Committee and the Board of Selectmen supported the article. The Moderator asked for a vote by way of a show hands, motion carried, unanimously.

UNDER ARTICLE 11 Chairman of the Sewer Commission, John P. Emerson Jr. moved that the Town vote to transfer the sum of $1,300,000.00 from sewer betterments, special revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 1993 Budget.

John Emerson explained that this money is used to reduce the debt and interest for the ongoing sewer project. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. The Moderator asked for a vote by way of a show hands, motion carried, unanimously.

John Emerson moved to reconsider article 2 at this time. He felt that where it lost by such a small vote earlier, now more Representatives have arrived it should be reconsidered. The Finance Committee and the Board of Selectmen were in favor of reconsideration. The Moderator asked for a show of hands, which left the Chair in doubt. The tellers came forward and took a hand count, Yes 74 no 42 motion carried to reconsider article 2.

UNDER ARTICLE 2 John Emerson moved to amend the article by striking from Section C the words "such policy making or" and read "such policy advisory committees". He explained the purpose of the amendment. The Moderator asked for the Finance Committee's recommendation. The Finance Committee was not in favor of motion to amend. The Board of

Selectmen were in favor of the motion to amend. Edward Hillaird questioned the article. He felt that the Selectmen should still make decisions on licensing and not be able to delegate this decision. He moved to amend the amendment by striking "licensing Committees" from section (c). The Moderator asked for the Finance Committee's recommendation on the motion to amend. They were not in favor of the motion. He then asked for the Selectmen's recommendation, they unanimously supported the amendment. The Moderator asked for a vote by way of a show hands, motion carried. He then asked for discussion on the motion to amend. A number of Representatives spoke in favor of the motion to amend. The Moderator asked for a vote on the motion to amend, by way of a show hands, motion carried. Asked if there was any discussion on the main motion as amended. More discussion took place. Representatives spoke against the article. The Moderator asked for a vote by way of a show hands, the motion is defeated.

UNDER ARTICLE 12 The Town Manager Bernard Lynch moved to dismiss this article. He explained that this article had been inserted in case it would be needed because the posting of the warrant is done way before the final figures are completed for the budget process. He sees no need to act upon the item at this time. Both the Finance Committee and the Board of Selectmen were in favor of the motion to withdraw.

UNDER ARTICLE 13 The Moderator explained that the following article is the budget for fiscal period from July 1, 1992 to June 30, 1993. The Town Manager, Bernard Lynch would address the Town Meeting Body at this time.

The Town Manager first gave a list and explanation of changes to be made to the balanced budget figures.

LINE ITEM	PURPOSE	AMT OF CHANGE	REVISED TOTAL
2	Treasurers Expenses to convert compensating balance agreement	$ +90,000	$ 347,091
6	Chelmsford School Dept for level service budget	+220,439	23,048,115
13	Municipal Waste Collection for leaf collection in the Spring	+7,000	1,049,898
	Cemetery Budget Adjustment		
19	Personnel Services	+24,000	144,693
20	Expenses	-24,000	691
	To use for add'l help, money will be used from the perpetual care acct for expenses		
23	Elder Services Budget Correction.	-10,000	279,946
34	Solid Waste Enterprise	-639,000	464,000

Expenses and Receipts

The Town Manger went on to said that Chelmsford was a fiscally sound community. He wanted to maintain this status. The surrounding cities and towns were facing budget cutbacks and layoffs. Chelmsford has already gone through this and as a result has had and will continue to have a level service budget. Hopefully within a year or two we will be able to reinstate some of the programs that have had to be cut back. He asked for support of the budget as presented.

The Moderator explained the procedure he was going to use going through the budget. He would name the line item which applies to the category and read the numbers going down the specific category. At this point any and all amendments and discussion is to take place. No final vote will be taken until the end.

He read the Municipal Administration category and its total figures, then read the specific category beginning with the Executive Office, Town Manager/Selectmen, where a question was asked concerning any new positions. The Town Manager explained that the position of Data Processing Manager will be added. This person will be responsible for maintaining the data processing system which will be installed within the year, in the Accounting Office, Finance Office, and the Police Department. This person will also be responsible for maintaining the current software/hardware system. The salary will be $35,000 per year. Ed Hilliard questioned why wasn't the person and the system at the School Department being used. As far as he knew only the Town Clerk's Office had tied into the School's system. Has the person and the system already been chosen? No, nothing has been decided on. He expressed concerns about having the same person design and maintain a computer system. Felt that consultants should design the system and that a separate person should maintain the system. The Town Manager said that the School's system is full. He explained that the Computer Technology Study Committee had in fact checked all alternatives and felt that this position is needed. Joel Karp explained that for the past four to five years, he has been a volunteer data processing person at the Town Office building, and as of July 1st, he will no longer be available. The Town will have to make the provisions to have in house expertise to do certain things. This is not a highly level person, basically it is an operational person. One who will make sure that systems are backed up. Make sure that 911 which was voted two years ago is done correctly. Make sure that there is some one on the Town Managers staff who will know that things are being done right. The School Department's position is level funded. Surrounding Cities and Towns have this position, it is greatly needed. The Moderator asked for more discussion. Hearing none he continued to read from the Personnel Board through Data Processing asking for discussion after each category. At the Assessors a question was asked about the Legal Services. The Town Manager explained that this is used for appellant tax cases. He continued to read to the Outlay account of the Registrars Department, where it was explained that outlay is generally the purchase of office equipment. He continued to read to line NMCOG, where it was explained that NMCOG stood

for Northern Middlesex Council of Government. Formerly known as NEMAC. The Town is a member of this organization. This is to cover the expense of membership. He continued to read asking for discussion up to the Planning Board. Under Education a discussion took place. It was asked how much money is spent on salaries. Dr. Moser said that the amount shown does not reflect any increases that could occur from negotiations. If there would be any increase then cuts would be made within the budget or possibly an override will be sought. How much of an increase would there be. He couldn't really discuss any salary amounts, due to negotiations. Thomas Moran discussed the closing of the West Fire Station. He felt that the station should be re-opened and the extra money that the Town Manager was giving to the School Department should be used instead towards the Fire Station. He asked how much money would be needed to re-open the station? $296,000., was the response. He explained the time needed from the station in North to cover the West area. People should realize that five minutes makes a difference. It's not just fires that the Stations respond to. The Fire Department responds to medical emergencies. He moved to take $220,000 from Line 6 the School Department budget to the Fire Department expressly to be used for re-opening the West Fire Station. The Moderator asked for the Finance Committee's recommendation. The Finance Committee acknowledge that this is a very difficult area to discuss. The School Committee needs the money now in order to maintain their level services, and therefore is against the motion to amend the School Budget. The Moderator asked the Board of Selectmen for their recommendation. The majority of the Board was against the motion to amend. The Moderator asked for a show of hands on the motion to amend the School Budget. Motion defeated. John Coppinger wanted to know how much is paid in salaries. Presently 13.5 million dollars are paid in salaries alone out of the budget. The Moderator read the figures of Nashoba Tech. Where at Public Safety a discussion took place under the Fire Department. Thomas Moran moved to increase the Fire Department budget, under Public Safety line 8 by $296,000. for the express purpose of re-opening the West Fire Station. It was questioned where would this money come from. Thomas Moran could not respond. The Moderator asked for the Finance Committee's recommendation. The Finance Committee was not in favor of the motion to amend. He asked for the Selectmen's recommendation. The majority of the Board of Selectmen without knowing where the funding would come from were not in favor of the motion to amend. The Moderator asked for a show of hands on the motion to amend. Motion defeated. He continued to read from Emergency Management through the Highway Division, asking for discussion after each. Under Street lighting, Ed Hilliard wanted to know why there was an increase? Wasn't the use of Sodium Vapor Lamps vs the Mercury Vapor Lamps saving money? The Town Manager explained that this is the cost of leasing lights at a cost of $1500. per month. That an item under the capital project budget will address future savings. The article will appropriate money to purchase 1000 sodium lights this first year. There are 2500 lights in town. eventually all will be replaced. The Moderator read the Waste Collection budget where it was asked about the increase. The Town Manager explained that this was the additional cost of the Spring Leaf pickup. The Moderator continued to read from

Sewer Division to the end of the Enterprise Funds, asking for discussion after each. He then read the Total Operating Budget figure of $45,838,156.00. Thomas Welch wanted to reduce each department budget by less the 1% which would result in raising the $296,000. needed for opening the West Fire Station. He would be willing to go through each department and reduce the categories. The Town Manager was not in favor of this motion. Due to the fact that the School Department budget cannot be touched. As a result this would throw off the General Government side of the budget, where the makeup in funding would have to occur. Thomas Welch asked for a show of support on just discussing going through the budget again, line item by line item. If there wouldn't be any support, then he would withdraw his motion. The Moderator asked for a show of hands, the body was not in favor of further discussion. He withdrew his motion.

The Moderator explained that $45,838,156 was the total operating budget. This figure will be reduced by receipts, $464,900 from the enterprise fund, and $472,000 from the sewer offset receipts, and $1,300,000 from special revenue of the sewer bond. For an actual figure of $43,601,256.

The Moderator explained that he had a motion from Selectmen Jeffrey Brem, to divided article 13 into two decisions.

One was to entertain a motion to raise and appropriate a certain sum of money to defray Town charges as recommended by the Town Manager representing a balance budget.

The second was to entertain a motion to raise and appropriate certain sums of money to defray Town charges contingent upon passage of a referendum question under paragraph (g) of Section 59 of the General Laws.

Essentially the motion is to amend the main motion under article 13 to have two separate votes. One will be to vote to amend the main motion. Then to vote a budget number without the override, then a vote will be taken of a budget number with the override. If the override doesn't pass a budget figure will be in place. Then contingent on the override passing, a budget figure will be in place. He asked for the Finance Committee and Board of Selectmen's recommendation on the motion to amend. Both Boards were in favor. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously. He then asked for a vote to raise and appropriate the sum of $43,601.256 which included all receipts. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously. He then asked for a vote on the sum of $1,560,453.00 to be raised and appropriated and the enterprise fund to be decreased to 0.00 contingent on the passage of a referendum question under paragraph (g) of M.G.L. Chapter 59, Section 21 (c) said sum to be added to the sum appropriated to Line Item #13, D.P.W. Expense under Article 13 of the 1992 Annual Town Meeting. The Town Manager explained that this is a contingency vote so that the Solid Waste Budget will be set. Depending upon the outcome of the override vote. This amount is remainder of the total cost of the first year of the trash contract. Already $85,000.00 has been put into the D.P.W. budget. If the

override passes then the D.P.W. Budget will be increased by $1,560,453. If it fails then the account figure would remain at $85,000. The Finance Committee recommended the motion. The Board of Selectmen were in favor of the motion. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously. The Budget reads as follows:

GENERAL GOVERNMENT:		
1. Personnel Services	$	892,036
2. Expenses		347,091
3. Out-of-State		2,300
4. Outlay		4,001
5. Legal Services		25,000
TOTAL		1,270,428
CHELMSFORD SCHOOL DEPARTMENT		
6. Total Budget		23,048,115
NASHOBA VALLEY TECHNICAL HIGH SCHOOL		
7. Total Budget		488,956
PUBLIC SAFETY		
8. Personnel Services	$	5,172,976
9. Expenses		391,002
10. Out-of-State		3,500
11. Outlay		25,500
TOTAL		5,592,978
PUBLIC WORKS		
12. Personnel Services	$	911,386
13. Expenses		1,049,898
14. Out-of-State		1,500
15. Outlay		7,000
16. Snow & Ice		350,000
TOTAL		2,319,784
SEWER COMMISSION		
17. Expense		55,000
18. Out-of-State		0
TOTAL		55,000
CEMETERY DEPARTMENT		
19. Personnel Services	$	144,693
20. Expenses		691
21. Out-of-State		500
22. Outlay		4,000
TOTAL		149,884
COMMUNITY SERVICES		
23. Personnel Services	$	279,946
24. Expenses		120,925
25. Out-of-State		[illegible]
26. Outlay		0
TOTAL		400,871
LIBRARY		
27. Personnel Services	$	473,856
28. Expenses		195,716
29. Out-of-State		500
30. Outlay		[illegible]
TOTAL		670,072

UNDISTRIBUTED EXPENSES		
31. Total Budget		4,334,825
DEBT AND INTEREST		
32. Principal		4,720.000
33. Interest		2,322,343
TOTAL		7,042,343
ENTERPRISE FUNDS		
34. Expense		464,900
Enterprise Receipts		464,900
TOTAL OPERATING BUDGET	$	45,838,156
Reduced by Receipts:		
Enterprise Fund		464,900
Sewer Offset Receipts		472,000
		44,901,256
Reduced by Special Revenue:		
Sewer Bond		1,300,000
TOTAL RAISE AND APPROPRIATE		43,601,256

UNDER ARTICLE 14 Town Manager Bernard Lynch moved that the Town vote to raise and appropriate, the sum of $25,000.00 for the purpose of providing Senior Citizen Real Estate Tax Payment Vouchers for services rendered, pursuant to an agreement to be formulated by the Council on Aging and approved by Town Manager.

The Town Manager explained that this is a program that originally started in Colorado. This would allow fifty senior citizens to work as part-time employees providing services for the Town. In return the Town would put $500.00 directly towards their property tax. Its a way to draw resources, and for the Seniors to use their experiences. Marty Walsh, Director of the Council on Aging, answered questions concerning the article. The Finance Committee recommended the article. A majority of the Board of Selectmen supported the intent but do not support the article at this time. Selectman DeFreitas spoke in favor of the article. The Moderator asked for a vote by way of a show of hands, motion carried.

UNDER ARTICLE 15 Chairman of the Finance Committee, Dwight Hayward, moved that the Town vote to raise and appropriate the sum of $175,000.00 to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws, Chapter 40, Section 6.

Dwight Hayward explained that this is a standarc article. Money is put aside each year to handle emergency situations that may arise. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 16 Selectman Jeffrey A. Brem moved that the Town vote to appropriate a certain sum of money for the following capital projects:

Cemetery Truck	22,000.00

Data Processing Hardware & Software	100,000.00
DPW Road Resurfacing	200,000.00
DPW Middlesex Road Canal Deck	60,000.00
DPW Sidewalk Construction	200,000.00
DPW Streetlights	235,317.00
Fire Breathing Apparatus	10,000.00
Fire Ramp Repaving Eng 3,4,5	15,000.00
Police Portable Radios	25,000.00
Police Cruisers	64,000.00
School CHS Ext Stairs	12,000.00
School Parker Roof Repairs	110,000.00
School CHS Gym Divider	10,000.00
School CHS Gym Floor	50,000.00
School CHS Lavatory Partition	10,000.00
School McCarthy Fire Alarms	30,000.00
School Interior Maintenance	15,000.00
School Stadium Seats/Press Box	30,000.00
HVAC Upgrades	51,029.00
TOTAL	$1,249,346.00

and to see if the Town will vote, for the purpose of funding these obligations, to transfer and appropriate from the stabilization fund the sum of $64,000.00; borrow the sum of $1,080,611.61 and transfer and appropriate from unexpended proceeds of borrowed funds the total sum of $104,734.39 from the following accounts:

1. Annual Town Meeting 1987 Article 15. Library Building, the sum of $200.60 and Article 17. Police Office Remodel, the sum of $305.26.

2. Special Town Meeting 1989 Article 7. School Back Flow Valves, the sum of $290.41.

3. Annual Town Meeting 1989 Article 10. Rte. 129 Study, the sum of $6,573.07; School Septic, the sum of $1,275.36; School Handicap Restroom, the sum of $464.58; O.T.H. Chair Lift, the sum of $19,813.36.

4. Special Town Meeting 1990 Article 3. School Student Furniture, the sum of $1,288.93; School tennis Courts, the sum of $17,935.62.

5. Annual Town Meeting 1990 Article 8. School McCarthy Roof, the sum of $48,657.00; Sewer Pick-Up Truck, the sum of $295.00.

6. Annual Town Meeting 1991 Article 9. Sewer Truck, the sum of $2,578.30; Cemetery Backhoe, the sum of $5,056.90.

The Town Manager explained that extended scrutiny is done on behalf of the Capital Planning Committee, Finance Committee and Departments on preparing the figures for these items or projects. He discussed a number of the items shown, explaining the need for each one. The Finance Committee recommended the article. Norman LeBrecque raised a question concerning the street lights. The Town Manager explained that $67,000. goes to Mass Electric for disconnection fee. The installation fee is $72,000. Capital Cost is $77,000. $18,000. service fee. This would be for 905 lights. There

are 128 streets would be affected. The result would be about a 14% decrease in illumination. The savings in payback would be in 5.4 years. The Town would own the lights, not be leasing from Mass Electric. It would cost the Town approximately $550,000. to do the whole Town at this time. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 17 Selectman Jeffrey A. Brem moved that the Town vote to raise and appropriate the sum of $20,000.00 for the purpose of funding the sand lease approved by the Town under Article 12 of the 1989 Annual Town Meeting.

Selectman Logan explained that this has been an ongoing contract since 1989, it saves the Town money. The Finance Committee recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 18 Selectman Jeffrey A. Brem moved that the Town vote to raise and appropriate, the sum of $21,000.00 to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford.

Selectman Logan explained that the firm of Brown and Barrett had won the bid and that is the firm who will be doing the audit. The Finance Committee was in favor of the article. Frank Miethe asked if there is a report filed at the completion. The Town Manager said that this past year's audit has been just been completed a month ago and a report will be on file. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

The Moderator discussed the location of the Town Meetings. If the Representatives wanted to change the location, then they should contact the Town Manager or himself before the fall meeting. John Coppinger said that his main complaint was that of comfort, due to the seating. He felt that the meetings should return to the McCarthy Auditorium. The Moderator knew that the only problem with that location was the availability of the microphone. The Moderator asked for a show of hands on the suggestion of the McCarthy Auditorium. Sue Olsen suggested the Senior Citizen Center. Again the complaint about the hard seats was mentioned. Mary Franz, Chairman of the School Committee said that the McCarthy School Auditorium is used at this time of the year for the High School Musical, therefore it would be unavailable for this time of the year. The Moderator suggested that perhaps other than the spring meeting, the McCarthy could be used. Barbara Ward said it mattered on what area the Town Meeting wanted to use, the Gym was available. The Moderator said that the concern was to use the comfortable seats of the Auditorium. Carl Olsson of the School Committee wanted to remind the body that Town Meeting takes preference over any activity. John Emerson questioned if the meeting has to be at McCarthy or is this just a consideration of having the meeting at the McCarthy. The Moderator explained that he took a non-binding question. It is up to the Selectmen in the end to choose the location.

UNDER ARTICLE 19 Selectman Jeffrey A. Brem moved that the Town vote to instruct the Board of Assessors to issue the

sum of $497,131.00 from Free Cash in the Treasury for the reduction of the tax rate.

The Town Manager explained that this is the amount of money available in free cash which will be used to balance the budget. He asked for support. The Finance Committee recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Seeing that there was no further business at hand, Selectman Jeffrey A. Brem moved to adjourn the meeting. The Moderator asked for a show of hands, motion carried, unanimously. He reminded the Representatives that the Special Election will be on Wednesday May 27th. The Polls will be open from 12 noon to 8:00 PM. The meeting adjourned at 11:05 PM.

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

SPECIAL TOWN ELECTION
TOWN OF CHELMSFORD
WEDNESDAY, MAY 27, 1992
POLLS OPEN FROM 12 NOON TO 8:00 P.M.

QUESTION 1

Shall the Town of Chelmsford be allowed to assess an additional $1,655,000 in real estate and personal property taxes for the purpose of funding municipal household solid waste/recyclable collection and disposal for all single family homes and all multi-family residences for the Fiscal Year beginning July 1, 1992?

YES ←

NO ←

Precinct 1:	Town Offices Gymnasium
Precinct 2:	Harrington School Gymnasium
Precinct 3:	Harrington School Gymnasium
Precinct 4:	Westlands School Cafeteria
Precinct 5:	Byam School Cafetorium
Precinct 6	Westlands School Cafeteria
Precinct 7	McCarthy Middle School Little Gym
Precinct 8	McCarthy Middle School Little Gym
Precinct 9	Town Offices Gymnasium

Town Clerk
Mary E St Hilaire

SPECIAL TOWN ELECTION

TOWN OF CHELMSFORD

WEDNESDAY, MAY 27, 1992

POLLS OPEN FROM 12 NOON TO 8:00 PM

QUESTION 1

Shall the Town of Chelmsford be allowed to assess an additional $1,655,000 in real estate and personal property taxes for the purpose of funding municipal household solid waste/recyclable collection and disposal for all single family homes and all multi-family residences for the Fiscal Year beginning July 1, 1992?

YES ← ←

NO ← ←

Precinct 1:	Town Offices Gymnasium
Precinct 2:	Harrington School Gymnasium
Precinct 3:	Harrington School Gymnasium
Precinct 4:	Westlands School Cafeteria
Precinct 5:	Byam School Cafetorium
Precinct 6:	Westlands School Cafeteria
Precinct 7:	McCarthy Middle School Little Gym
Precinct 8:	McCarthy Middle School Little Gym
Precinct 9:	Town Offices Gymnasium

Town Clerk
Mary E. St.Hilaire

SPECIAL TOWN ELECTION MAY 27, 1992

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total	
BLANKS	3	0	0	0	1	1	0	2	0	7	BLANKS
YES	349	295	447	432	432	488	434	367	396	3640	YES
NO	125	198	143	174	146	175	197	175	121	1454	NO
TOTAL	477	493	590	606	579	664	631	544	517	5101	TOTAL

TOWN WARRANT FOR STATE PRIMARY ELECTION

SEPTEMBER 15, 1992

COMMONWEALTH OF MASSACHUSETTS

IIDDLESEX, SS.

'o the Constable of the Town of Chelmsford:

;REETING:

n the name of the Commonwealth you are hereby required to
iotify and warn the Inhabitants of said Town who are qualified
.o vote in Primaries to vote at:

'recinct 1: Town Offices Gymnasium, 50 Billerica Road
'recinct 2: Harrington School Gymnasium, 120 Richardson Road
'recinct 3: Harrington School Gymnasium, 120 Richardson Road
'recinct 4: Westlands School Cafeteria, 170 Dalton Road
'recinct 5: Byam School Cafeteria, 25 Maple Road
'recinct 6: Westlands School Cafeteria, 170 Dalton Road
'recinct 7: McCarthy Middle School Small Gymnasium, 250 North Road
'recinct 8: McCarthy Middle School Small Gymnasium, 250 North Road
'recinct 9: Town Offices Gymnasium, 50 Billerica Road

)n Tuesday the fifteenth day of September, 1992 from 7:00 A.M. to
:00 P.M. for the following purpose:

To cast their votes in the State Primary for the candidates of
)olitical parties for the following offices:

:EPRESENTATIVE IN CONGRESS	fifth	Congressional District
:OUNCILLOR	third	Councillor District
:ENATOR IN GENERAL COURT	fifth mdisx	Senatorial District
:EPRESENTATIVE IN GENERAL COURT	16th mdisx	Representative District
:OUNTY SHERIFF	Middlesex	County
:OUNTY COMMISSIONER	Middlesex	County

reof fail not and make return of this warrant with your doings thereon
the time and place of said election.

ven under our hands this 17th day of August , A.D. 1992.

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

William R. Logan, Chairman

Richard E. DeFreitas, V.Chrman

Peter V. Lawlor, Clerk

Roger A. Blomgren

Jeffrey A. Brem

COMMONWEALTH OF MASSACHUSETTS

IDDLESEX, SS

Aug 28, 1992

'rsuant to the within warrant, I have notified and warned the
habitants of the Town of Chelmsford by posting up attested
pies of same at the following places, to wit:
wn Office Building Gym, Harrington School Gymnasium, Harrington
hool Gymnasium, Westland School Cafeteria, Byam School
fetorium, Westland School Cafeteria, McCarthy Middle School
all Gymnasium, McCarthy Middle School Small Gymnasium, and Town
fice Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence,
Constable

'rue Copy Attest,

William E. Spence, Constable

STATE PRIMARY TUESDAY SEPTEMBER 15, 1992

ANDIDATES DEMOCRAT

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	[illegible]	Total
EPRESENTATIVE FOR CONGRESS										
lanks	[illegible]	2	3	7	[illegible]	[illegible]	[illegible]	2	[illegible]	[illegible]
hester G. Atkins	95	[illegible]	120	135	137	[illegible]	122	128	117	[illegible]
artin T. Meehan	297	312	317	[illegible]	325	328	275	305	205	2695
rite-In	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
isc	[illegible]	1	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
TOTAL	[illegible]	422	441	474	467	463	403	[illegible]	[illegible]	3827
OUNCILLOR										
lanks	50	58	74	29	75	[illegible]	[illegible]	54	47	486
obert B. Kennedy	246	289	281	256	[illegible]	255	273	314	179	2396
ichael J. O'Halloran	98	74	86	[illegible]	88	167	71	66	102	941
hite-In	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
isc	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
TOTAL	394	422	441	474	467	463	403	435	[illegible]	3827
ENATOR IN GENERAL COURT										
lanks	[illegible]	345	379	408	396	[illegible]	346	371	275	3225
rite-In	11	9	9	7	[illegible]	[illegible]	[illegible]	9	[illegible]	69
isc	67	68	[illegible]	[illegible]	71	[illegible]	47	55	47	[illegible]
TOTAL	394	422	441	474	467	463	403	435	328	3827
EPRESENTATIVE IN GENERAL COURT										
lanks	332	359	[illegible]	416	418	[illegible]	358	384	290	[illegible]
rite-In	10	5	9	6	[illegible]	[illegible]	8	5	5	52
isc	52	58	46	52	[illegible]	54	37	[illegible]	[illegible]	427
TOTAL	394	422	441	474	467	463	403	435	328	3827
HERIFF										
anks	168	[illegible]	[illegible]	162	207	195	175	192	154	1615
[illegible]	224	242	250	306	255	266	[illegible]	237	171	2175
rite-In	[illegible]	3	3	3	[illegible]	[illegible]	2	[illegible]	[illegible]	14
isc	[illegible]	[illegible]	[illegible]	[illegible]	5	2	2	6	[illegible]	23
TOTAL	394	422	441	474	467	[illegible]	[illegible]	435	328	3827
OUNTY COMMISSIONER										
anks	210	181	226	201	231	[illegible]	189	191	179	[illegible]
ward J. Kennedy	164	199	177	244	167	204	[illegible]	196	[illegible]	1614
homas J. Larkin	[illegible]	125	[illegible]	126	131	[illegible]	95	122	105	[illegible]
onard H. Golder	25	23	[illegible]	26	33	33	23	22	22	230
bert J. Onessimo	13	15	16	23	20	[illegible]	24	19	16	159
nnis J. Ready	232	252	280	287	303	313	278	257	177	2379
elle Schwalberg	41	49	50	41	48	[illegible]	47	[illegible]	42	427
ite-In	1	[illegible]	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
isc	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	2	4
TOTAL	788	844	882	948	934	926	[illegible]	[illegible]	656	7654

STATE PRIMARY TUESDAY SEPTEMBER 15, 1992

CANDIDATES REPUBLICAN	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	[illegible]	Prec 8	Prec 9	[illegible]
REPRESENTATIVE IN CONGRESS										
Blanks	[illegible]	[illegible]	[illegible]	[illegible]			[illegible]	[illegible]	[illegible]	[illegible]
Michael G. Conway	[illegible]	84	[illegible]	[illegible]	112	116	114	114	[illegible]	[illegible]
Paul W. Cronin	[illegible]	61	60	50	57	84	70	61	[illegible]	[illegible]
Write-In	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Misc	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
TOTAL	[illegible]	149	151	164	171	205	187	181	[illegible]	1565
COUNCILLOR										
Blanks	[illegible]	39	41	54	45	52	[illegible]	[illegible]	62	455
Vincent P. McLaughlin	[illegible]	109	[illegible]	[illegible]	124	152	[illegible]	[illegible]	126	1091
Write-In	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Misc	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	2	[illegible]
	[illegible]	149	151	164	171	205	187	[illegible]	196	1565
SENATOR IN GENERAL COURT										
Blanks	28	25	28	[illegible]	23	28	[illegible]	35	[illegible]	264
Lucille "Cile" P. Hicks	129	[illegible]	123	132	146	177	149	[illegible]	164	[illegible]
Write-In	[illegible]	[illegible]	[illegible]	2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Misc	[illegible]	[illegible]	[illegible]	[illegible]	2	[illegible]	[illegible]	2	[illegible]	8
TOTAL	161	149	151	164	[illegible]	[illegible]	187	[illegible]	196	1565
REPRESENTATIVE IN GENERAL COURT										
Blanks	32	[illegible]	24	30	32	27	34	[illegible]	32	351
Carol C. Cleven	133	124	126	132	137	177	150	150	159	1285
Write-Ins	5	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	4	14
Misc	[illegible]	[illegible]	[illegible]	[illegible]	2	0	2	4	[illegible]	12
TOTAL	161	149	151	164	171	205	[illegible]	[illegible]	196	[illegible]
SHERIFF										
Blanks	[illegible]	[illegible]	[illegible]	34	[illegible]	[illegible]	37	[illegible]	41	[illegible]
Gary Buxton	54	50	54	[illegible]	[illegible]	65	73	56	63	517
Michael J. Dever	57	45	44	57	36	55	50	66	75	505
Vincent Lawrence Dixon	22	23	21	24	19	26	27	28	[illegible]	[illegible]
Write-Ins	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Misc.	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
TOTAL	161	149	151	164	[illegible]	205	187	181	[illegible]	1565
COUNTY COMMISSIONER										
Blanks	[illegible]	140	143	[illegible]	167	[illegible]	173	154	[illegible]	1449
Anthony F. Ranieri	45	36	30	[illegible]	35	42	45	42	34	352
James P. Regan	77	59	61	67	76	87	79	87	[illegible]	684
Edward L. Weinberg	63	63	67	68	61	86	[illegible]	79	76	639
Write-Ins	2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	3
Misc	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	3
TOTAL	322	298	302	[illegible]	342	410	374	362	392	3130

STATE PRIMARY TUESDAY SEPTEMBER 15, 199.

CANDIDATES INDEPENDENT VOTERS	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
REPRESENTATIVE IN CONGRESS	0	0	0					0	0	
All Others	0	2	0	0	0	0	0	0	0	2
Blanks	0	2	0	1	0	0	0	0	0	
TOTAL	0	4	0	1	0	0	0	0	0	3
COUNCILLOR	0	0	0	0	0	0		0	0	0
All Others	0	0	0	0	0	0	0	0	0	0
Blanks	0	4	0	1	0	0	0	0	0	5
TOTAL	0	4	0	1	0	0	0	0	0	5
SENATOR IN GENERAL COURT	0	0	0	0	0	0	0	0	0	0
All Others	0	1	0	0	0	0	0	0	0	1
Blanks	0	3	0	1	0	0	0	0	0	4
TOTAL	0	4	0	1	0	0	0	0	0	5
REPRESENTATIVE IN GENERAL COURT									0	0
All Others	0	1	0	0	0	0	0	0	0	1
Blanks	[illegible]	3	0	1	0	0	0	0	0	4
TOTAL	0	4	0	1	0	0	0	0	0	5
SHERIFF	0	0	0	0	0	0	0	0	0	
All Others	0	0	0	0	0	0	0	0	0	
Blanks	0	4	0	1	0	0	0	0	0	5
TOTAL	0	4	0	1	0	0	0	0	0	5
COUNTY COMMISSIONERS										
All Others	0	0	0	0	0	0	0	0	0	0
Blanks	0	8	0	2	0	0	0	0	0	10
TOTAL	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]				

WARRANT FOR
THE FALL ANNUAL TOWN MEETING
OCTOBER 19, 1992
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the constable, or any other suitable person of the Town of Chelmsford:

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the town meeting representatives of said Chelmsford to meet in the McCarthy School Auditorium on Monday, the nineteenth day of October, at 7:30 p.m. o'clock in the evening, then and there to act upon the following Articles, VIZ:

Article 1. To see if the Town will vote to form a Committee to study the feasibility of forming a Town Meeting Members Association, and if such an Association is deemed feasible, to propose bylaws for said Association.

The purpose of a Town Meeting Members Association would be for members to acquaint themselves more fully with the facts necessary for intelligent decisions and to assist in any other constructive way in the government of Chelmsford.

The Committee will consist of one Town Meeting representative from each precinct. The Committee will submit its recommendations to the April 1993 Town Meeting; or act in relation thereto.

Petition

Article 2. To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds, a certain sum of money for the purpose of funding Line Item 18 Cemetery Commission Salary Account; or act in relation thereto.

Town Manager

Article 3. To see if the Town will vote to accept the provisions of Section 12 of Chapter 188 of the Acts of 1985, the School Improvement Act, in relation to the equal education opportunity grant in the amount of $17,207 for the Nashoba Valley Technical High School for the 1992-93 school year; or act in relation thereto.

Nashoba Valley Technical High School Committee

Article 4. To see if the Town will vote to accept the provisions of Section 48 of Chapter 133 of the Acts of 1992, an Act concerning Early Retirement Incentive; or act in relation thereto.

Board of Selectmen

Article 5. To see if the Town will vote to amend the zoning bylaw under Article I Administration and Procedure Section 1300 Board of Appeals Subsection 1322 as follows:

From:
1322. To hear and decide appeals or petitions for the variances from the terms of this by-law with respect to particular land or structures. Such variance shall be granted only in case of where the board of appeals find all of the following:

To:
1322. To hear and decide appeals or petitions for variances from the terms of this by-law, including variances for use, with respect to particular land or structures. Such variances shall be granted only in cases of where the Board of Appeals finds all of the following:

; or act in relation thereto.

Planning Board
Board of Appeals

Article 6. To see if the town will vote an annual stipend of $1.00 each for every appointed and elected official of the town not deemed a town employee. To see if the town will stipulate that any of these appointed and elected officials, not deemed a town employee, who wish to avail themselves of the town health plan will be asked to pay 100% of the cost; or act in relation thereto.

Petition

Article 7. To see if the town will vote to amend the zoning bylaw under Article II District Regulations Section 2300 Use Regulations Schedule as follows:

Under the category of Retail Stores and services not elsewhere listed, areas zoned IA (Limited Industrial Districts) a change from O (an excluded or prohibited use) to BA (A use authorized under special permit for exception from the board of appeals as provided for in section 1500).

Under the category of Restaurant, areas zoned IA (Limited Industrial District) a change from O (an excluded or prohibited use) to P(4) (a permitted use, except 'BA' if resulting in more than 10,000 square feet gross floor area devoted to business uses on the premises).

Under the Category Indoor commercial recreation, areas zoned IA (Limited Industrial District) a change from O (an excluded or prohibited use) to BA (A use authorized under special permit for exception from the board of appeals as provided for in section 1500).

; or act in relation thereto.

Petition

Article 8. To see if the Town will vote to amend the General Bylaws Article VI Police Regulations Section 22 Prohibition of Trapping by Means of the Leghold and Conibear Trap by deleting Section 22 which reads as follows in its entirety:

SECTION 22 PROHIBITION OF TRAPPING BY MEANS OF THE LEGHOLD AND CONIBEAR TRAP

1. It shall be prohibited and unlawful for any person to set, trigger, activate, or otherwise use or cause to be set, triggered, activated or used any type or modification of any steel jawed, leghold trap including the soft catch trapping system, or any form of jaw trap or conibear trap, for the capture of any animal.

2. The definitions set forth in General Law Chapter 131, Section 1 of "to trap", as said act applies to fur bearing mammals, are incorporated herewithin.

3. The Police Department and or Animal Control Officer of Chelmsford shall be authorized to enforce this By-Law pursuant to Article 1 of Town of Chelmsford General By-Laws.

4. The fine for each violation of this section shall be Three Hundred Dollars ($300.00), with each violation constituting a separate offense. Said violations shall be punishable as provided in Article 1 of Town of Chelmsford By-Laws.

5. Notwithstanding the provisions of this by-law, the Conservation Commission or their authorized agents may use such traps and may destroy any fur-bearing mammals subject to regulation herein, if the Conservation Commission determines that such animals pose a substantial present or potential hazard to public health, welfare, safety, or to the environment

; or act in relation thereto.

Board of Selectmen

Article 9. To see if the Town will vote to amend the existing Town of Chelmsford Zoning Map by removing the following described property consisting of 21.802 acres of land on Mill Road from Limited Industrial District (IA) and placing said property in a Residential Multi-Family District (RM) (See Metes and Bounds Description and Plan of Land attached hereto and incorporated herein.)

Commencing at a point on the Easterly sideline of Mill Road, being the zone line between the RB Zone and Zone IA; thence,

Southeasterly	1129.22 feet to a point, being the town line as shown on the 1954 State Highway Layout; thence, in two courses, 931.18 feet to a point, being Route 3 on the State Highway Layout of 1954; thence,
Northwesterly	in two courses, 599.34 feet to a point, thence,
Westerly	391.48 feet to a point on the Southeasterly side of Mill Road, thence,
Southwesterly	along the southeasterly side line of Mill Road to the point of beginning.

The herein described parcel of land containing 21.802 acres of land and being shown as Lot 2 (10.470 acres), Lot 3 (10.780 acres) and proposed Quorum Way (0.552 acres) on a plan entitled "Subdivision Plan of Land in Chelmsford, MA prepared for Raymond A. & Barbara F. Carye, revised May 7, 1984 and approved by the Town of Chelmsford Planning Board on July 12, 1984

;or act in relation thereto.

Petition

Article 10. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land off Dalton Road, shown as Lot 17 on Assessor's Map 94, containing 24,390 square feet more or less and more fully described in the Final Decree of the Land Court dated November 26, 1991 and recorded in the Middlesex North District Registry of Deeds in Book 5793, Page 265; or act in relation thereto.

Board of Selectmen

Article 11. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land on Main Street, shown as Lot 11 on Assessor's Map 196, containing 3030 square feet more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2224, Page 3761; or act in relation thereto.

Board of Selectmen

Article 12. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land off Billerica Road, shown as Lot 58 on Assessor's Map 129, containing 9,158 square feet more or less and described in the Final Decree of the Land Court dated June 15, 1984 and recorded in the Middlesex North District Registry of Deeds in Book 2854, Page 194; or act in relation thereto.

Board of Selectmen

Article 13. To see if the Town will vote to release all its right, title and interest in the unconstructed portions of the following streets and ways shown as Ninth Avenue, Tenth Avenue, Eleventh Avenue, Twelfth Avenue, Thirteenth Avenue, Fourteenth Avenue, and three unnamed streets sometimes known as Florence Road, Marion Road, and Murphy Street all as shown on a plan of land entitled "Plan of Building Lots, Crystal Lake Park, North Chelmsford" dated May 1926, and revised October 1926 and May 1927 by Brooks Jordan and Graves, Engineers and recorded in Middlesex North District Registry of Deeds in Plan Book 50 Plan 85. Meaning and intending to release those portions of said streets and ways as now contained within a subdivision known as Crystal Estates as shown on a plan of land entitled "Definitive Plan of Land in Chelmsford, Mass. of Crystal Estates" dated July 24, 1987 by Robert M. Gill and Associates Inc. Civil Engineers and Land Surveyors and recorded in Middlesex North District Registry of Deeds in Plan Book 112, Plan 68; or act in relation thereto.

Petition

Article 14. To see if the Town will vote to amend the General By-Laws Article XIV Fire By-Laws by adding Section 13, Transportation of Flammable Liquids By a Cargo Tank, and Section 14 Fire Permits as follows:

SECTION 13
TRANSPORTATION OF FLAMMABLE LIQUIDS BY A CARGO TANK

1) CARGO TANK

A) NO CARGO TANK SHALL BE USED FOR THE TRANSPORTATION OF ANY CLASS A OR CLASS B FLAMMABLE LIQUID OR FLAMMABLE GAS UNLESS THE SAME HAS BEEN APPROVED AND A CERTIFICATE OF APPROVAL ISSUED THEREFORE BY THE MARSHAL, HEAD OF THE FIRE DEPARTMENT OR HIS DESIGNEE. SUCH CERTIFICATE OR APPROVED IDENTIFICATION PLATE SHALL BE LOCATED AS DIRECTED BY THE MARSHAL.

B) APPLICATION FOR APPROVAL OF A CARGO TANK SHALL BE MADE TO THE MARSHAL, HEAD OF THE FIRE DEPARTMENT OR HIS DESIGNEE ON A FORM FURNISHED BY THE DEPARTMENT GIVING SUCH INFORMATION IN FULL AS REQUESTED ON FORM OR SUCH OTHER INFORMATION AS HE MAY DEEM NECESSARY.

C) THE CERTIFICATE OF APPROVAL AS HEREIN PROVIDED FOR SHALL SERVE AS A PERMIT TO TRANSPORT FLAMMABLE FLUIDS OR GASES FOR A PERIOD NOT TO EXCEED TWO YEARS. ALL CERTIFICATES OF APPROVAL SHALL EXPIRE ON AUGUST 31, 1986 AND ON EACH EVEN NUMBERED YEAR THEREAFTER.

2) TRANSPORTATION OF FLAMMABLE LIQUIDS

A) NO PERSON SHALL TRANSPORT BY TANK VEHICLE, PIPE LINE OR OTHER METHOD ANY CLASS A OR CLASS B LIQUID WITHIN THE TOWN OF CHELMSFORD UNLESS SUCH LIQUID IS TRANSPORTED IN ACCORDANCE WITH THE REQUIREMENTS OF 527 CMR 8.00 BOARD OF FIRE PREVENTION REGULATIONS.

B) NO PERSON SHALL DELIVER ANY CLASS A CLASS B FLAMMABLE FLUID BY ANY VEHICLE EXCEPT AS DESCRIBED IN 8.17(3) UNLESS THE PERSON, FIRM OR CORPORATION RECEIVING SUCH FLUID EXHIBITS A PERMIT FOR THE STORAGE OF SUCH FLUID.

3) TRANSPORTATION BY OTHER METHODS

A) ANY CLASS A OR CLASS B FLAMMABLE LIQUID TRANSPORTED BY OTHER THAN TANK VEHICLE OR PIPE VEHICLE OR AS OTHERWISE PERMITTED BY SUBSECTION B AND C BELOW SHALL BE TRANSPORTED IN APPROVED SAFETY CANS, SUBSTANTIAL METAL DRUMS OR OTHER SIMILAR CONTAINER, WITH ALL OPENINGS THERETO TIGHTLY CLOSED, EXCEPT THAT THE PROVISIONS OF THIS SECTION NEED NOT APPLY TO ANY CLASS B LIQUID IN AN AMOUNT NOT EXCEEDING 55 GALLONS. GASOLINE OR OTHER CLASS A PETROLEUM PRODUCT MAY BE TRANSPORTED WITHOUT A PERMIT IN ANY OPEN VEHICLE OR IN A COMPARTMENT OF A CLOSED VEHICLE SEPARATED FROM THE PASSENGERS, IN TOTAL QUANTITY NOT TO EXCEED 21 GALLONS, PROVIDED SUCH FLAMMABLE LIQUID IS CONTAINED IN ONE OR MORE SUITABLE METAL OR PLASTIC CONTAINERS WHICH HAVE BEEN APPROVED BY THE MARSHAL. NO SUCH CONTAINER SHALL HAVE A CAPACITY OF OVER 7 GALLONS.

B) VEHICLES OTHER THAN APPROVED TANK VEHICLES MAY TRANSPORT CLASS A OR CLASS B FLAMMABLE LIQUID IN TANKS PROVIDED THAT AN APPLICATION HAS BEEN MADE TO THE MARSHAL, HEAD OF THE FIRE DEPARTMENT OR HIS DESIGNEE ON FORMS FURNISHED BY THE DEPARTMENT.

UPON SATISFACTORY PROOF OF NEED AND ASSURANCE THAT THE TANK HAS BEEN DESIGNED AND MOUNTED IN ACCORDANCE WITH THESE REGULATIONS, A CERTIFICATE OF APPROVAL WILL BE ISSUED AND ATTACHED TO THE TANK IN ACCORDANCE WITH 527 CMR, BOARD OF FIRE PREVENTION REGULATIONS. THE VEHICLE SHALL BE APPROVED FOR THE TRANSPORTATION OF THE FLAMMABLE FLUID PROVIDED THAT:

1) THE TANK IS SECURELY MOUNTED TO THE VEHICLE BODY OR TRUCK BED AND ITS CAPACITY DOES NOT EXCEED 330 GALLONS;

2) THE TANK SHALL BE CONSTRUCTED OF NOT LESS THAN 12 USS GAUGE STANDARD OPEN HEARTH STEEL PLATE;

3) THE LIQUID IS DRAWN FROM THE TOP OF THE TANK BY MEANS OF A SUITABLE PUMP TO WHICH IS ATTACHED A DURABLE HOSE EQUIPPED WITH AN APPROVED SELF CLOSING NOZZLE;

4) ALL OPENINGS IN THE TANK ARE SECURED BY PLUGS OR CAPS MAINTAINED WRENCH TIGHT WHILE VEHICLE IS IN TRANSIT;

5) THE VEHICLE IS EQUIPPED WITH ONE OR MORE FIRE EXTINGUISHERS HAVING A COMBINED RATING OF 2A 20BC;

6) A PERMIT HAS BEEN OBTAINED FROM THE MARSHAL OR THE HEAD OF THE FIRE DEPARTMENT OR HIS DESIGNEE IN THE CITY OR TOWN OF PRINCIPAL GARAGING. PROOF OF SUCH PERMIT SHALL BE APPLICATION OF A VISIBLE DECAL OF A TYPE FURNISHED BY THE MARSHAL, SUCH DECAL TO BE PLACED ON THE LEFT REAR OF TANK.

C) VEHICLES OTHER THAN APPROVED TANK VEHICLES MAY TRANSPORT CLASS A FLAMMABLE LIQUIDS IN QUANTITIES IN EXCESS OF 21 GALLONS OR CLASS B FLAMMABLE LIQUIDS IN EXCESS OF 55 GALLONS PROVIDED AN APPLICATION HAS BEEN MADE TO THE MARSHAL ON FORMS FURNISHED BY THE DEPARTMENT. THE MARSHAL SHALL ISSUE A PERMIT FOR A PERIOD UP TO TWO YEARS FOR THE TRANSPORTATION OF SUCH FLAMMABLE FLUIDS PROVIDED HE IS SATISFIED THAT THE OWNER AND THE OPERATOR OF THE TRANSPORTING VEHICLE ARE FAMILIAR WITH THESE REGULATIONS AND AGREE TO COMPLY WITH THEM AS PROVIDED BELOW:

1) THE VEHICLE SHALL BE EQUIPPED AND MAINTAINED WITH TWO OR MORE HAND FIRE EXTINGUISHERS OF COMBINED 2A 20BC RATING FIRE EXTINGUISHER SHALL BE KEPT IN GOOD WORKING CONDITION AT ALL TIMES AND SHALL BE LOCATED AS DIRECTED BY THE MARSHAL, THE HEAD OF THE FIRE DEPARTMENT OR HIS DESIGNEE.

2) FLAMMABLE FLUID CONTAINER SHALL HAVE A MAXIMUM CAPACITY OF 55 GALLONS AND BE FREE OF CORROSION, PUNCTURES OR OTHER DEFECTS WHICH WOULD CAUSE THEM TO LEAK OR RUPTURE. THE CONTAINERS WILL BE FABRICATED OF STEEL, ALUMINUM OR OTHER MATERIAL COMPATIBLE WITH THE LIQUID BEING STORED THEREIN. EACH CONTAINER WILL BE EQUIPPED WITH A TIGHT FITTING GASKETED CLOSURE TO PREVENT THE LEAKING OF THE FLAMMABLE LIQUID OR GASES FROM SUCH CONTAINER DURING STORAGE AND TRANSPORTATION.

3) EACH CONTAINER WILL BE LEGIBLY MARKED WITH A WATERPROOF IDENTIFICATION DESCRIBING THE CONTENTS OF THE VESSEL.

4) THE CONTAINERS OF FLAMMABLE FLUIDS SHALL BE SECURELY ENCLOSED OR TIED DOWN SO THAT THEY WILL NOT SHIFT OR TIP WHEN THE VEHICLE MAKES A SUDDEN STOP OR TURN.

5) NO VEHICLE LOADED WITH FLAMMABLE FLUIDS AS DESCRIBED IN THIS SECTION SHALL BE LEFT UNATTENDED FOR OVER ONE HOUR UNLESS THE DRIVER NOTIFIES THE HEAD OF THE FIRE DEPARTMENT WHERE IT IS PARKED. THE HEAD OF THE FIRE DEPARTMENT MAY ASSUME CONTROL OF THE VEHICLE AND ITS CONTENTS IF THE OWNER IS UNABLE OR UNWILLING TO REMOVE THE VEHICLE OR FLAMMABLE CONTENTS WITHIN A REASONABLE TIME.

4) FLAMMABLE LIQUIDS IN CONTAINERS

A) NO PERSON SHALL SELL, OFFER FOR SALE, ADVERTISE FOR SALE, GIVE, LEASE, OR OTHERWISE TRANSFER FOR CONSIDERATION OR WITHOUT CONSIDERATION ANY CONTAINER INTENDED FOR THE KEEPING, STORAGE, USE, HANDLING, TRANSPORTATION, OR OTHER DISPOSITION OF GASOLINE OR KEROSENE UNLESS AND UNTIL SUCH CONTAINERS SHALL HAVE BEEN APPROVED BY THE MARSHAL AS SAFE FOR SUCH PURPOSES, EXCEPT AS PROVIDED BY 527 CMR 5.04 (18).

5) VIOLATIONS

A) ANY VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A FINE OF $100.00 FOR EACH OFFENSE. EACH DAY THAT ANY VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE.

6) SEVERABILITY

A) IT IS HEREBY DECLARED THAT THE PROVISIONS OF THIS BY-LAW ARE SEVERABLE, AND IF ANY PROVISIONS OF THIS BY-LAW SHALL BE DECLARED UNLAWFUL BY A VALID JUDGMENT OR DECREE OF ANY COURT OF COMPETENT JURISDICTION, SUCH INVALIDITY SHALL NOT AFFECT ANY OF THE REMAINING PROVISIONS OF THIS BY-LAW.

SECTION 14
FIRE PERMITS

1) PERMIT FOR OPEN BURNING

A) A PERMIT MUST BE OBTAINED THROUGH THE FIRE DEPARTMENT PRIOR TO ANY OPEN BURNING. CONTROLLED FIRES FOR THE SOLE PURPOSE OF COOKING ARE EXEMPT.

B) THE PERMIT HOLDER MUST FOLLOW THE GUIDELINES SET FORTH IN 310 CMR DEPARTMENT OF ENVIRONMENTAL PROTECTION WHICH INCLUDES BUT IS NOT EXCLUSIVE TO THE FOLLOWING:

1) BURNING BETWEEN 10:00 A.M. AND 4:00 P.M. ONLY. PLEASE NOTE: FIRE MUST BE COMPLETELY EXTINGUISHED BY 4:00 P.M.

2) BURNING MUST BE AT LEAST 75 FEET FROM ALL DWELLINGS

3) BURNING (WITH A PERMIT) OF THE FOLLOWING IS ALLOWED; BRUSH, CANE AND FORESTRY DEBRIS FROM OTHER THAN COMMERCIAL OR INDUSTRIAL LAND CLEARING OPERATIONS.

4) BURNING OF THE FOLLOWING MATERIALS IS PROHIBITED; BRUSH TREES, CANE AND DRIFTWOOD FROM COMMERCIAL AND/OR INSTITUTIONAL LAND CLEARING OPERATIONS, GRASS, HAY, LEAVES, STUMPS AND TIRES.

5) STACKING, PLACING OR STORING COMBUSTIBLE MATERIALS SUCH THAT A PRUDENT PERSON WOULD PRESUME THAT IT WILL BE BURNED IS PROHIBITED.

C) PERMIT HOLDER MUST ATTEND THE FIRE UNTIL COMPLETELY EXTINGUISHED AND SHALL HAVE AVAILABLE A WATER SUPPLY SUCH AS PRESSURIZED WATER, PUMP CAN OR A GARDEN TYPE HOSE OF SUFFICIENT LENGTH TO REACH THE FIRE AREA. THE FIRE MUST BE COMPLETELY EXTINGUISHED BEFORE LEAVING IT UNATTENDED.

2) VIOLATIONS

A) ANY VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A FINE OF ONE HUNDRED DOLLARS ($100.00) FOR EACH OFFENSE. EACH DAY THAT A VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE OFFENSE.

3) SEVERABILITY

A) IT IS HEREBY DECLARED THAT THE PROVISIONS OF THIS BY-LAW ARE SEVERABLE, AND IF ANY PROVISIONS OF THIS BY-LAW SHALL BE DECLARED UNLAWFUL BY A VALID JUDGMENT OR DECREE OF ANY COURT OF COMPETENT JURISDICTION, SUCH INVALIDITY SHALL NOT AFFECT ANY OF THE REMAINING PROVISIONS OF THIS BY-LAW.

or act in relation thereto.

Fire Department

Article 15. To see if the Town will vote to amend the existing Town of Chelmsford Zoning Map by removing the following described property consisting of 2.8 acres of land on Billerica Road, Alpha Road, and Elliot Street from Limited Industrial District (IA) to Road Side Commercial District (CB), in so far as said Zoning Map relates to the following described premises:

Four parcels of land situated in the Town of Chelmsford, in the County of Middlesex and the Commonwealth of Massachusetts.

Beginning at the southeast corner of the land hereinafter described at the point of intersection of the northerly sideline of Elliot Street and the southwesterly sideline of Billerica Road, thence

S 61' 45' 29"W, a distance of six hundred thirty-eight feet more or less (638' +/-) along the northerly sideline of Elliot Street, to a point; thence

N 28' 14' 31"W, a distance of two hundred and sixteen hundredths feet (200.16') along land now or formerly of Andrew S. and Bernadette L. Visneiwski, to a point on the southerly sideline of Alpha Road; thence

N 61' 45' 29"E, a distance of five hundred eighty-seven feet more or less (587' +/-) along the sideline of Alpha Road, to a point on the southeasterly sideline of Billerica Road, thence

S 42' 37'55"W, a distance of two hundred seven feet more or less (207' +/-) along the sideline of Billerica Road, to the point of beginning.

The above described land contains 122,600 square feet (2.8 acres) more or less and is shown on a plan entitled "Exhibit Plan of Land in Chelmsford, Massachusetts Issued for Rezoning Application" dated July 31, 1992 by Vanasse, Hangen, Brustlin, Inc.;

or act in relation thereto.

Article 16. To see if the Town will vote to amend the Chelmsford Home Rule Charter under Part III, Section 3-2(c), Board of Selectmen Appointment Powers, by deleting the following:

"(c) Appointing Powers

The Board of Selectmen shall appoint a Town Manager, a Town Counsel, a Town Accountant, and a Board of Registrars of Voters (but not including the Town Clerk). The Board of Selectmen shall also appoint such other multiple member bodies as may be provided by by-law."

and add the following as Part III, Section 3-2(c):

"(c) the Board of Selectmen shall appoint a Town Manager, a Town Counsel, a Town Accountant, and a Board of Registars of Voters (but not including the Town Clerk). The Board of Selectmen shall also appoint such policy advisory committees as they deem necessary, licensing committees, and such other multiple member bodies as may be provided by by-law."

; or act in relation thereto.

Board of Selectmen

Article 17. To see if the Town will vote to amend the General By-Laws Article VI Police Regulations by adding Section 23, Sale of Non-Alcoholic Beverages as follows:

"Section 23 SALE OF NON-ALCOHOLIC BEVERAGES

It shall be unlawful for any person, business, corporation, or partnership to sell or cause to be sold, to any person under the age of 21, non-alcoholic beer, or any malt beverage with any alcoholic content, however much reduced.

Whoever violates any provision of this ordinance shall be fined two hundred ($200.00) dollars per offense."

; or act in relation thereto.

Board of Selectmen

Article 18. To see if the Town will vote to raise and appropriate, or transfer and appropriate from available funds the amount of $200,000.00 for the purpose of re-opening the West Fire Station; or act in relation thereto.

Petition

reof fail not and make return of this warrant with your doings thereon
the time and place of said meeting.

ven under our hands this21st day of September , A.D. 1992.

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

William R. Logan,Chairman

Richard E. DeFreitas, V.Chrman

Peter V. Lawlor, Clerk

Roger A. Blomgren

Jeffrey A. Brem

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
FALL ANNUAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Fall Annual Town Meeting of October 19, 1992:

Thursday, October 22, 1992 at 7:30 p.m.

Monday, October 26, 1992 at 7:30 p.m.

Thursday October 29, 1992 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meeting is concluded.

Pursuant to General By-Laws Article II, Section 4.10 Notice these dates and times are proposed and are subject to change by vote of the Town Meeting Representative.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. SEPTEMBER 25 , 1992

Pursuant to the within notice, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafeteria, Byam School Cafetorium, Westland School Cafeteria, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence
Constable

True Copy Attest, William E. Spence
William E. Spence, Constable

COMMONWEALTH OF MASSACHUSETTS

IDDLESEX, SS Sept 25, 1992

ursuant to the within warrant, I have notified and warned the nhabitants of the Town of Chelmsford by posting up attested opies of same at the following places, to wit:
own Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafeteria, Byam School afetorium, Westland School Cafeteria, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence,
Constable

True Copy Attest,

William E. Spence, Constable

WARRANT FOR
SPECIAL TOWN MEETING
OCTOBER 29, 1992
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the Constable,, or any other suitable person of the Town of Chelmsford:

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the town meeting representatives of said Chelmsford to meet in the McCarthy School Auditorium on Monday, the twenty-ninth day of October, 1992 at 7:30 p.m. o'clock in the evening, then and there to act upon the following Articles,
VIZ:

Article 1. To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds, a certain sum of money for the purpose of funding Line Item 8 Public Safety Salary Account; or act in relation thereto.

Town Manager

ereof fail not and make return of this warrant with your doings thereon
t the time and place of said meeting.

iven under our hands this 15th day of October , A.D. 1992.

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

William R. Logan, Chairman

Richard E. DeFreitas, V.Chrman

Peter V. Lawlor, Clerk

Roger A. Blomgren

Jeffrey A. Brem

COMMONWEALTH OF MASSACHUSETTS

IIDDLESEX, SS October 15, 1992

'ursuant to the within warrant, I have notified and warned the nhabitants of the Town of Chelmsford by posting up attested opies of same at the following places, to wit:
'own Office Building Gym, Harrington School Gymnasium, Harrington chool Gymnasium, Westland School Cafeteria, Byam School 'afetorium, Westland School Cafeteria, McCarthy Middle School mall Gymnasium, McCarthy Middle School Small Gymnasium, and Town)ffice Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence

William E. Spence,
Constable

. True Copy Attest, William E. Spence
William E. Spence, Constable

ANNUAL TOWN MEETING
OCTOBER 19, 1992

The Annual Town Meeting was called to order at 7:35 PM by the Moderator Dennis E. McHugh, at the McCarthy Middle School Auditorium. The Moderator recognized the presence of a quorum, there were 150 Town Meeting Representatives present.

Prior to calling the meeting to order the Moderator had pointed out the fire exits and explained the meeting's procedures. He noted that there were no required reports to be made from the spring meeting.

The Moderator asked for a moment of silence for Donald Smith, who was a former Selectman, who had passed away in July. And for Raymond Day, who had passed away a week ago. Mr Day had been a active member of the Town's Celebration Committee, and the Civil Defense Committee.

Selectman Jeffrey Brem, moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously, by show of hands. Selectman Jeffrey Brem moved that the reading of the entire warrant be waived. It was so voted, unanimously, by show of hands.

UNDER ARTICLE 1 Catherine Brown, moved that the Town vote to form a Committee to study the feasibility of forming a Town Meeting Members Association, and if such an Association is deemed feasible, to propose bylaws for said Association.

The purpose of a Town Meeting Members Association would be for members to acquaint themselves more fully with the facts necessary for intelligent decisions and to assist in any other constructive way in the government of Chelmsford.

The Committee will consist of one Town Meeting representative from each precinct. The Committee will submit its recommendations to the April 1993 Town Meeting.

Catherine Brown explained the purpose of the article. Since Representative Town Meeting started over two years ago this form of Government was doing well. However, she felt that the Representatives needed to be more informed in order to vote on issues. The Charter mentions that a committee may be formed for the purpose of reviewing warrant articles. Which is why this article has been proposed. It would be treated like the prior Rules Committee. A member from each precinct would be chosen, and meetings will be held prior to the Town Meeting and the Representative will report back to the other 17 Representatives the results of any discussions or information available on the articles. The Town of Lexington has an association and produces positive results.

Questions were raised and answered. A discussion took place. The Finance Committee was not in favor of this article. A majority of the Board of Selectmen were not in favor of the article. The Moderator asked for a vote by way of a show of hands, motion defeated.

UNDER ARTICLE 2 Selectman Jeffrey Brem, moved to transfer and appropriate the sum of $5,5,000.00 from Line Item 13 Public Works Expenses for the purpose of funding Line Item 19 Cemetery Commission Personnel Services Account.

Bernard Lynch, Town Manager explained that this article is to fund the contract negotiations for the Cemetery Department. The Highway Division has money within the budget. This reflects a 3% increase for this year and a 4% for the next two. He stated that the elimination of sick time by-back and the longevity issues had been dealt with. There would be a capping on the current employees. The results of this negotiation would save the Town between $75,000. to $100,000. over the term of fifteen to twenty years. He asked for support of the article. The Finance Committee and the Board of Selectmen were in favor of the article. The Moderator asked for a vote by way of a show of hands, motion carried.

UNDER ARTICLE 3 Samuel Poulten moved that the Town vote to accept the provisions of Section 12 of Chapter 188 of the Acts of 1985, the School Improvement Act, in relation to the equal education opportunity grant in the amount of $17,207. for the Nashoba Valley Technical High School for the 1992-1993 school year.

Samuel Poulten, a member of the Nashoba School Committee explained the article. The Board of Selectmen and the Finance Committee supported the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 4 Selectman Jeffrey Brem moved that the Town vote to accept the provisions of Section 48 of Chapter 133 of the Acts of 1992, an Act concerning Early Retirement Incentive.

Bernard Lynch, Town Manager explained that this would allow the Town to offer an early retirement incentive to the employees. This is what corporations have been doing. The plan would be to down size by either eliminating positions, or bring in people at a reduced pay scale to fill positions, consolidate offices if necessary, a savings would be seen. He feels that there may be at least thirty people who may take advantage of this, on the Town side. This law does not include any school department personnel. In order to be eligible and employee must be, 55 years of age and Ten years of service, or no age requirement and Twenty years of service. The incentive is five years would be added to age or years of service to the employee. Or the employee could choose to split the five years in a way that would be beneficial to them.

Ed Hilliard asked the time frame. The Manger explained that special legislation is needed which will take place later in the year, because the Town is a member of the Middlesex County Retirement . There is a slight discrepancy in the law which affects the funding. Once this is taken care of, there is a time factor of forty-five days. The Board of Selectmen must officially vote to accept this process, then clock starts running and any employee must file their papers, within the forty-five days. Everything must be completed by July 15, 1993. So the process must start no later than June 1st. He anticipated having it in place for the 1994 budget.

Joel Karp asked what was the cost factor. The Manager explained that between $100,000. to $125,000. would be spent The result would be over a fifteen year span a savings of $250,000. is anticipated. The employees with many years in service are paid a higher percentage at the time of retirement. New hired employees would be paid less. Surrounding Towns are accepting this law. A discussion took place. The Moderator asked for the Finance Committee's recommendation, the Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried.

UNDER ARTICLE 5 James Good, Chairman of the Planning Board, moved that the Town vote to amend the zoning bylaw under Article I Administration and Procedure Section 1300 Board of Appeals Subsection 1322 as follows:

From:
1322. To hear and decide appeals or petitions for the variances from the terms of this by-law with respect to particular land or structures. Such variance shall be granted only in case of where the Board of Appeals find all of the following:

To:
1322. To hear and decide appeals or petitions for the variances from the terms of this by-law, including variances for use, with respect to particular land or structures. Such variance shall be granted only in case of where the Board of Appeals find all of the following:

James Good, Chairman of the Planning Board read the Board's recommendation. The Planning Board held a public hearing on the above mentioned article on September 9, 1992. At that meeting, the Planning Board closed the Public Hearing and voted (6-1) in favor of recommending to Town Meeting a zoning change in the zoning by-laws under Section 1322 as written in the warrant for the Fall Annual Town Meeting, 1992.

Donald Ayers asked if this article will affect any of the articles appearing after this article. James Harrington Town Counsel, explained that this article will allow the Board of Appeal to grant Use Variances. According to the present zoning by-laws, they are not allowed to do so, the Board had this option in the past. He explained the difference between a Special Permit, Variance, both are granted by the Board of Appeals, and a Use Variance. A Special Permit if granted is allowed only as long as the petitioner is owner of the property. A Variance deals with the dimensions of the property, setbacks of sideyards, frontage etc. A Use Variance is to allow the (Zoning) Use of the property to be changed. Either Variance once granted is a permanent change to the land. He gave an example. If a property is zoned for one specific use and a petitioner wants to change it to another use, the Board of Appeals previously was allowed to view this matter and make sure a hardship does in fact exist and that all requirements are meet and if so vote to allow the change to take place. When did the Board of Appeals loose the right to stop granting Use Variances?

James Good explained that this was eliminated in the 1986 Masterplan. What has been done since then? Town Counsel explained that now the only way someone would be allowed to change the use of the land is to come to the Planning Board and petition for a zoning change. Regardless of the size of the parcel of land. A public hearing is conducted and the Planning Board makes a recommendation, but before the petitioner can begin anything, an additional vote must be done at Town Meeting, then it is sent to the Attorney General for approval. This is known as spot zoning. If the process is done through the Board of Appeals as in the past, the neighbors concerns are expressed and taken into consideration by the Board of Appeals. After a decision is made and filed by the Board of Appeals there is a twenty-one day appealing process. Anyone can file with the court system an appeal, and the court could over turn the decision if just cause is found. However, once a zoning change is voted by the Town Meeting Body, there is no appeal process and the change is done. Robert Kydd, Chairman of the Board of Appeals explained why the Board felt that this article should be approved. More discussion took place. The Finance Committee recommended the article. A majority of the Board of Selectmen recommended the article. James Creegan, member of the Planning Board spoke against the article, and made a presentation. He felt that major policy changes shouldn't be made to handle limited circumstances. He felt that all elected officials which includes the Town Meeting Representatives shouldn't be eliminated from the process in making a decision. There is a potential to over commercialize the Town in the future, which is one of his biggest concerns. He asked that the article be defeated. Donald Ayer spoke against the article. He felt that there are areas in the Westlands which could be affected by a Use Variance. The Moderator asked for a vote by way of a show of hands, motion defeated.

UNDER ARTICLE 6 Barry Bell moved that the Town vote to authorize the Selectmen to petition the Legislature to enact the following legislation:

Notwithstanding the provisions of any general or special law to the contrary, the Town of Chelmsford is hereby authorized to provided the same health insurance coverage to an elected or appointed official of said Town, whether or not said official receives compensaton for such position, as is provided to other town employees; provided, however, that if such an elected or appointed official, who is not a municipal employee, elects to participate in the health insurance plan of said town, he shall pay one hundred percent of the cost of such health insurance coverage. Said Town may authorize the payment of a stipend for any such elected or appointed position, if it deems it necessary to effectuate the intent of this section.

Provided further that the Legislature may reasonable vary the form and substance of the requested legislation with the scope of the general public objectives of this petition.

Barbara Quinn the proponent of the article explained the purpose of the article. She wanted to file a homerule petition. This would enable all elected and appointed officials a chance to join the Town's group health plan. It will not cost the Town any money. The person pays all costs,

100% They would be allowed a lower premium rate by being in a group rather then pay an higher individual rate. A discussion took place. Concerns were express that if this was allowed then the individuals may be eligible for other benefits such as retirement. Town Counsel explained that this would not entitle anyone to retirement benefits, only a lower rate for insurance premiums. A Discussion took place. The Finance Committee and Board of Selectmen were against the article. The Moderator asked for a show of hands, motion defeated.

UNDER ARTICLE 7 Dennis Ready moved that the Town vote to amend the zoning bylaw under Article II District Regulations Section 2300 Use Regulations Schedule as follows:

Under the category of Restaurant, areas zoned IA (Limited Industrial District) a change from 0 (and excluded or prohibited use) to BA (a use authorized under special permit from the Board of Appeals).

Dennis Ready explained the article. This would allow restaurant uses allowed by a Special Permit issued by the Board of Appeals, in the areas zoned Limited Industrial District. This would allow restaurants to operate in Industrial zones. He showed a presentation which outlined all the industrial zones that this amendment would affect. He felt that many of the industrial areas needed to have a restaurant in their immediate area. It would encourage more businesses to move into the industrial area if they were able to have a shared cafeteria which could also be termed as a restaurant. Questions were asked concerning what is termed a restaurant. Could any fast food place be considered a restaurant. Yes it could be, however the Board of Appeals would make the decision. Donald Ayer questioned the neighborhood areas that have IA zone located in them. Turnpike Road and Riverneck Road. Again the Board of Appeals would make the decision. A number of questions were asked and answered concerning the areas involved, the possibility of obtaining liquor licenses. Concerns were expressed about the Board of Appeals granting or not granting the Special Permit. If they do not grant to a fast food restaurant even though the petitioner meets all the requirements what could happen. James Harrington, Town Counsel, explained that Town could be taken to court and in fact the decision could be reversed and a fast food restaurant could open. The Finance Committee recommended against the article. The Board of Selectmen recommended against the article. James Good read the Planning Board's recommendation. The Planning Board held a Public Hearing on the above mentioned article on September 9, 1992. At that meeting, the Board voted to approve (4-2) the zoning by-law change with the following changes and amendments:

1. Eliminate the entire Category of Retail Stores and Services.

2. Eliminate the entire category of Indoor commercial recreation and.

3. Change under the category of Restaurant from P4 (permitted use, except "BA" if resulting in more than 10,000 sq. feet. gross floor area devoted to business uses on the premises) to BA (Board of Appeals Approval).

Attorney Joseph Shanahan representing twenty to thirty business people in the center area spoke against the article. In these economic hard times, the business people felt that this zoning change would be unjust to them at this time. The low occupancy of the buildings in the route 129 industrial area were starting to turn around. The businesses in the center had in fact been affected with the slow down and now felt their businesses soon would pick up, due to interest in this industrial area starting again. He in fact represented a major business who is moving into this industrial area, and they did not express any concerns what so ever about there not being any type of restaurant available in the immediate area for their use. They felt that what is presently located within the area would serve them well.

Roger Blomgren made a motion to move the question. The Moderator asked for a show of hands on the motion to stop debate. Motion carried, unanimously. He then asked for a vote by way of a show of hands on the article as presented. Motion defeated.

The Moderator started to read article 8, Selectmen Logan made a point of order. He said that the Board of Selectmen wanted to postpone the article until after article 18. The Moderator explained that once he was done reading the article, he would acknowledge Selectman Logan's request. He continued to read the article. Chairman Logan then explained that the Board of Selectmen and the Conservation Commission had received numerous phone calls and felt that the discussion was going to be longer than forty minutes. Due to the anticipated discussion it was felt that it would be best to take the article out of order and address it after article 18. The Finance Committee was against the motion to take the article out of order. Selectman DeFreitas stated that he was personality against postponing discussion. He asked if the Chairman would consider making the article the first one acted upon when the Town Meeting reconvene next Monday October 26th. The Chairman agreed. Selectman Jeffrey Brem moved to postpone article 8 to be taken up as the first order of business at the adjourned session of Town Meeting, of October 26th. The Finance Committee questioned if the meeting was going to adjourn because article 9's discussion could in fact be longer than forty minutes. No answer could be given. The Finance Committee was in favor of postponing article 8. The Moderator asked for a show of hands on the motion to postpone article 8. Motion carried. Barry Balan then moved to adjourn the Town Meeting until Monday October 26, 1992 at 7:30 Pm at the McCarthy Middles School Auditorium. The Finance Committee and the Board of Selectmen were in favor of the motion to adjourn. The Moderator asked for a show of hands on the motion to adjourn, motion carried. The meeting adjourned at 10:30 PM.

Dennis E. McHugh, Moderator	Mary E.St.Hilaire, Town Clerk

ADJOURNED ANNUAL TOWN MEETING
OCTOBER 26, 1992

The Adjourned Annual Town Meeting was called to order at 7:35 PM by the Moderator Dennis E. McHugh, at the McCarthy Middle School Auditorium. The Moderator recognized the presence of a quorum, there were 140 Town Meeting Representatives present. He then read a few announcements concerning absentee voting for the November 3rd election, and the hours for Halloween on October 31st.

UNDER ARTICLE 8 Selectman Jeffrey Brem moved that the Town vote to amend the General Bylaws Article VI Police Regulations Section 22 Prohibition of Trapping by Means of the Leghold and Conibear Trap by deleting Section 22 which reads as follows in its entirety:

SECTION 22 PROHIBITION OF TRAPPING BY MEANS OF THE LEGHOLD AND CONIBEAR TRAP

1. It shall be prohibited and unlawful for any person to set, trigger, activate, or otherwise use or cause to be set, triggered, activated or used any type or modification of any steel jawed, leghold trap including the soft catch trapping system, or any form of jaw trap or conibear trap, for the capture of any animal.

2. The definitions set forth in General Law Chapter 131, Section 1 of "to trap", as said act applies to fur bearing mammals, are incorporated herewithin.

3. The Police Department and or Animal Control Officer of Chelmsford shall be authorized to enforce this by-law pursuant to Article 1 of Town of Chelmsford General By-laws.

4. The fine for each violation of this section shall be Three Hundred Dollars ($300.00), with each violation constituting a separate offense. Said violations shall be punishable as provided in Article 1 of Town of Chelmsford By-laws.

5. Notwithstanding the provisions of this by-law, the Conservation commission or their authorized agents may use such traps and may destroy any fur-bearing mammals subject to regulation herein, if the Conservation Commission determines that such animals pose a substantial present or potential hazard to public health, welfare, safety, or to the environment.

Selectman Peter Lawlor spoke about the article. In prior years trapping was allowed in Town, now trapping is presently allowed in the Town only with the permission of the Conservation Commission. Susan Olsen asked what has the Conservation Commission done in maintaining the control of the beaver population? Susan Carter, Chairman of the Conservation Commission explained that up until recently there has not been much activity by the Conservation Commission in regards to the issue. The Friends of the Animal Association had come forward and did presentations,

and offered assistance, but nothing has been done to solve the problem. Since coming on the Board a year ago, there has been two meetings and the Board tried to reach solutions with the residents and the state. The Board voted to allow duly licensed trappers as its agent to trap beavers with the Town between November 15, 1992 and February 28, 1993 subject to having written permission of the landowner. Beaver pipes have been installed at some sites. Sue Olsen then asked the Friends of the Animals what they have done to help the Town with this problem. Kathleen Hillman came forward and said that she was not speaking for the Friends of the Animals. She would try to explain their position. They were not here tonight, they have to come from New Jersey. As long as the by-law exists, they offer support and financial support if necessary. A letter was available explaining some of the people and the obstacles they had encountered when they did come to Chelmsford. Questions were raised about the state's trapping rules and regulations, in regards to raccoons. The Conservation Commission was not in favor of deleting the by-law, they believed that if they allowed control trapping on a yearly basis when necessary as it was for this year, that this would eventually bring a solution to the problem. It would allow landowners the right to grant permission to have trappers come onto their property where a problem exists during the trapping seasons. Questions were raised concerning the safety of the water wells. Ronald Wetmore Center Water Commissioner, said that a problem still does exist. A question was asked about the court injunction concerning the use certain traps. Susan Carter said that a representative from the State Office was present and could answer any questions. Dr Robert DeBlinger, Director of Wildlife Research of Ma Division of Fisheries and Wildlife, came forward. The Moderator asked the Town Meeting Representatives for a vote by way of a show of hands, in order to allow Dr. DeBlinger to speak before the Body. Motion carried. Dr. DeBlinger explained that there is was litigation regarding the soft catch trap. In 1990 a Middlesex Superior Court Judge refrained the operation of regulation governing use of the soft catch trap. A question was asked about the leghold trap. The leghold trap is used only for trapping under water. Susan Gates asked if this by-law is deleted what happens. Sue Carter explained that once this by-law is eliminated then the State has control through twenty-three different laws on trapping. The Town will have no say what so ever. Dr DeBlinger answered more questions from the Town Meeting Representatives. Kathleen Hillman asked why in the Western part of the state where trapping was allowed according to statistics there was a lot more complaints about beaver problems. Dr. DeBlinger explained that she was comparing many towns in the Western part of the State. When you look at the town by town list of complaints Chelmsford is the highest. Selectman Blomgren wanted to hear from the Board of Health about the problem. Richard Day, Director of the Board of Health, said that at this time no public health emergency has been declared. Dr DeBlinger explained that most trappers will not go into a area to trap if any type of by-law exists, regardless if the Conservation Commission or the owner of the land grants permission. Susan Carter explained that if the land owner has a problem with a beaver dam that permission from the state must be given before a dam can be broken. If this by-law is eliminated then people must post their property in order to avoid any type of trapping on it. Sue Olsen asked what has the State done to help the

situation. There are seventeen different sites that the State had evaluated. Beaver pipes were recommended for four of the sites, nine permits to break beaver dams have been issued. More questions were asked. The Moderator asked for different committees recommendations. Cheryl Boss, Chairman of the Finance Committee, said that the Committee voted at their meeting prior to the Town Meeting to withdrawal their recommendation because they didn't realize at the time of their original vote, the Conservation Commission had not made their recommendation known, and they wanted to hear all the information. The Board of Selectmen were not in favor of the article. The Conservation Commission was not in favor of the article. David McLachlan a member of the Conservation Commission explained that he has been on the Board for four years, and that the present by-law was in effect during this time. It's purpose he believes was for homerule control of trapping laws, and possible concerns of the philosophy of trapping itself. Last year the problems with beavers came to the attention of the Conservation Commission. The Board then seriously started to address the issue. The solution that the Commission is offering is only a start, but he feels that the Town should allow the Commission to attempt to resolve the issue by granting permission to trappers, rather than eliminate the by-law completely. He asked for defeat of the article. Sue Olsen spoke in favor of the article. She felt that the Conservation Commission has had plenty of time and opportunity to control the situation and this has not been done. Bradford Emerson made a motion to move the question and stop debate. The Moderator asked for a show of hands which left the Chair in doubt. A 2/3's or unanimous vote is needed. The following tellers came forward and conducted a hand count:
Jean Organ, Patricia Plank, Dorothy Frawley, Lucy Simonian. The result was yes 74 no 40 2/3's is 76, the motion is defeated and the debate continued.

Harry Foster spoke in favor of the article. A number of High School Students came forth and spoke against the article. Joseph Palolli asked permission to allow Bill Andre' of the Trapper's Association to speak. The Moderator asked for a show of hands, motion carried. Bill Andre' then explained the trappers views. He said that the Trappers Association members would not go into any town which was not under the sole guidance of the State's rules and regulations. These are strictly the only rules that the association maintains and follows. More discussion took place. A number of Representatives spoke in favor of the article. Dr. DeBlinger was asked for the State's recommendation on the matter. He read a statement which said that the by-law should be eliminated. There are twenty-three State laws all ready in effect that had cited specific rules and regulations in regards to trapping beavers. The State also felt that the use of beaver pipes should be implemented as another means of control. More discussion took place. Michael Anthony made a motion to move the question to stop debate. Kathleen Hillman wanted the body to realize that another speaker was now available to speak. The Moderator explained to her that the only motion he could entertain at the moment was the motion to stop debate. If the body wanted to hear more information then they could defeat the motion to stop debate and continue with the discussion. The Moderator asked for a show of hands on the motion to stop debate, which must be either a unanimous or 2/3's vote. After a few attempts, the motion carried, unanimously. The Moderator asked for a show of

hands on the article, motion carried.

UNDER ARTICLE 9 James Good Chairman of the Planning Board, moved that the Town vote to amend the existing Town of Chelmsford Zoning Map by removing the following described property consisting of 21.802 acres of land on Mill Road from Limited Industrial District (IA) and placing said property in a Residential Multi-family District (RM) (See Meets and Bounds Description and Plan of Land attached hereto and incorporated herein.)

Commencing at a point on the Easterly sideline of Mill Road, being the zone line between the RB zone and Zone IA; thence

Southeasterly	1129.22 feet to a point, being the Town Line as shown on the 1954 State Highway Layout; thence, in two courses, 931.18 feet to a point, being Route 3 on the State Highway layout of 1954; thence,
Northwesterly	in two courses, 599.34 feet to a point, thence,
Westerly	391.48 feet to a point on the Southeasterly side of Mill Road, thence,
Southwesterly	along the southeasterly side line of Mill Road to the point of beginning.

The herein described parcel of land containing 21.802 acres of land and being shown as Lot 2 (10.470 acres), Lot 3 (10.780 acres) and proposed Quorum Way (0.552 acres) on a plan entitled "Subdivision Plan of Land in Chelmsford, Ma prepared for Raymond A & Barbara F. Carye, revised May 7, 1984 and approved by the Chelmsford Planning Board on July 12, 1984; or act in relation thereto.

Attorney James Geary stated he was representing the McBride and Wildes families known as HRM McBride Associates. He introduced the members present Bob, Jack and Ann McBride, Bob Wildes, Mike Salmon, Marketing, and Scott Parker, Architect. He asked that they be granted permission to speak from time to time if necessary about the article. The Moderator asked for a show of hands, motion carried. Attorney Geary went on to explain the article. The McBride and Wildes family has been building homes and apartments in Chelmsford since the 1950's. Bob McBride and Bob Wildes would be the principal buyers of the land from the Raymond and Barbara Carye. Presently this would involve twenty-two acres of land off of Mill Road which abuts route 3. Also three acres located in Billerica which can only be access through this land. It would contain eighty-six units of single detached homes. The permit process would begin in early 1993, and hopefully completed by the middle of the year. And then construction would start, an approximate construction time was one and half years. Everything should be in place and occupied by 1996. Due to the present zone being industrial and no prospect for the zone it was felt that this was a good alternative. Due to the land directly abutting residential homes this to is a consideration. After talking with the neighborhood it was found that this choice was favored. There would be less noise, less impact to the environment, be able to preserve the present stream and keep

ten acres of open space available. The developer would bear the cost of the twelve inch water pipe into the site. There would be no significant cost to the Town. The streets and sidewalks will be maintained by the complex. A culdesac would be built to accommodate the School Buses. This will be done on the private part of the road. The streets will be five hundred feet long. The lot size is 56' x 90'. The cost would be $125,000. to $150,000. The average purchase price would be $130,000. Scott Parker made a presentation showing the overhead view of the property, the individual homes, and the open area. The Moderator asked for the Finance Committee's recommendation. Due to a tie vote and there being a missing member, the Board could not make a recommendation at this time. The majority of the Board of Selectmen were in favor of the article. James Good read the Planning Board's recommendation:
The Planning Board held a Public Hearing on the above mentioned article on September 9, 1992. At that meeting, the public hearing was closed. On September 23, 1992 at a regularly scheduled meeting, the Planning Board voted unanimously (6-0) one member absent) to recommend the zoning Map Change of 21.802 acres from Limited Industrial (IA) to Residential Multi-Family (RM) to Town Meeting.

A discussion began. Ed Hilliard questioned the size of the lot. Cheryl Warshafsky questioned the need for another condo complex. She felt that once these units are built, if not all the units are filled then the people occupying must pay the association fee's. There now are a few complexes who are having financial problems and the fee's are not being made and the buildings aren't being maintained. Questions were asked concerning the number of school children who may go into the system, the South Row School is near maximum capacity now. It was mentioned in the presentation that approximately forty children would be expected. Dr Moser explained this was a low figure to use and said what the projected impact could be. More discussion took place concerning the fact that eight-six units were going to be on in reality only twelve acres of land. A number of Representatives spoke against the article. Dennis Ready moved the question to stop debate. The Moderator asked if there was any need to hear further debate. Hearing none he asked for a vote on the article by way of a show of hands, motion defeated.

Selectman Jeffrey Brem moved to adjourn the meeting until Thursday October 29, at 7:30 PM at the McCarthy Middle School Auditorium. Motion carried. The Meeting adjourned at 11:05 PM.

_____
Dennis E. McHugh,
Moderator

_____
Mary E.St.Hilaire,
Town Clerk

SPECIAL TOWN MEETING
OCTOBER 29, 1992

The Special Town Meeting was called to order at 7:45 PM by the Moderator Dennis E. McHugh, at the McCarthy Middle School Auditorium. The Moderator recognized the presence of a quorum, there were 123 Town Meeting Representatives present.

Selectman Jeffrey Brem, moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously, by show of hands. Selectman Jeffrey Brem moved that the reading of the warrant be waived. It was so voted, unanimously, by show of hands.

UNDER ARTICLE 1 The Moderator read the article to the body. (I'll have to add the wording) Selectman Jeffrey Brem moved to withdraw the article. The Town Manager Bernard Lynch explained. The purpose was to transfer money for the funding of the Fire Contract. The money now will be taken out of the present budget. Due to the prior contract certain monies had been built into this year's budget. Now that the new contract had been negotiated there is extra money available. He explained the different changes. The elimination of triple time for holidays is now back to double time. Longevity has been changed to a flat amount not a percentage. The issue of sick time buy back has been addressed. Also the elimination of the minimal manning clause. There will not be as much money paid in overtime. This is a three year contract. This year a one time bonus payment of $750.00 for buy back of benefits will not be added to the base. Next year will reflect a 4% increase and the following year a 5% increase.

The Moderator asked for the Finance Committee's recommendation on the motion to withdraw the article. The Finance Committee recommended the motion. The Moderator asked for a vote by way of a show of hands on the motion, motion carried.

The Moderator adjourned the Special Town Meeting seeing that there was no further business at hand at 7:50 PM, and proceeded with the Adjourned Annual Town Meeting. He made a few announcements again concerning the hours for Halloween and absentee voting.

UNDER ARTICLE 10 Selectman Jeffrey Brem moved that the Town vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land off Dalton Road, shown as Lot 17 on Assessor's Map 94, containing 24,390 square feet more or less and more fully described in the Final Decree of the Land Court dated November 26, 1991 and recorded in the Middlesex North District Registry of Deeds in Book 5793, Page 265.

Town Manager Bernard Lynch, explained the article. The land is off of Linwood Street. It is a landlock parcel of land. It is 24,000 sq feet with an assess value of $17,600.00. He would notify the abutters of the availability of the land. He had on file some letters of interest already concerning the land. It would go to the highest bidder. The

Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the article, as did the Board of Selectmen. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 11 Selectman Jeffrey Brem, moved to vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land on Main Street, Shown as Lot 11 Assessor's Map 196, containing 3030 square feet more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2224, Page 3761.

Town Manger Bernard Lynch explained that there were already two parties of interest concerning this land, which abuts Main Street and Leedberg Street. It has an assess value of $4,900.00. There are no buildings on the land. It will go through either the bidding process or auction. Both the Finance Committee and the Board of Selectmen were in favor of the article. The Moderator asked for a vote by way of a show of hands. Motion carried, unanimously.

UNDER ARTICLE 12 Selectman Jeffrey Brem moved that the Town vote to authorize the Board of Selectmen to convey in accordance with M.G.L Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land off Billerica Road, shown as Lot 58 on Assessor's Map 129, containing 9,158 square feet more or less and described in the Final Decree of the Land Court dated June 15, 1984 and recorded in the Middlesex North District Registry of Deeds in Book 2854, Page 194.

Town Manager Bernard Lynch explained that this is land locked property off of Billerica Road and abuts Grove Street. It has an assess value of $30,800.00. It will be put out to competitive bid. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Town Manager said that there was a right of way into the land. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 13 John Emerson moved that the Town vote to release all its right, title and interest in the unconstructed portions of the following streets and ways shown as Ninth Avenue, Tenth Avenue, Eleventh Avenue, Twelfth Avenue, Thirteenth Avenue, Fourteenth Avenue, and three unnamed streets sometime known as Florence Road, Marion Road, and Murphy Street all as shown of a plan of land entitled "Plan of Building Lots, Crystal Lake Park, North Chelmsford "dated May 1926, and revised October 1926 and May 1927 by Brooks Jordan and Graves, Engineers and recorded in Middlesex North District Registry of Deeds in Plan Book 50 Plan 85. Meaning and intending to release those portions of said streets and ways as now contained within a subdivision known as Crystal Estates as Shown on a plan of land entitled "Definitive Plan of Land in Chelmsford, Mass. of Crystal Estates "dated July 24, 1987 by Robert M. Gill and Associates Inc. Civil Engineers and Land Surveyors and recorded in Middlesex North District Registry of Deeds in Plan Book 168, Plan 68.

Attorney John Coddaire, Representing the Lawyers Title Insurance Co. explained the article. The purpose was to ask the Town to give up any claim that the Town had concerning streets that were never constructed, they only appear on paper, commonly known as paper streets. This article is to clear up a possible title problem. These streets are located on a plan entitled Crystal Estates Subdivision, dated 1926. Which is located off of Twiss Road via to Waterford Place, a street that was accepted half way down as an accepted street last year at town meeting. Located there is the nineteen lot subdivision. Already nine houses have been built and are occupied. Due to the title description listing the meets and bounds of these paper streets unless waivers are obtained, whoever owns the lots have the right of passage over the land. There are four lots that are Town owned due to tax title. He had waivers from the residents in the area. Now he was asking the Town to waiver it's rights. Questions were asked concerning the waivers. Did Attorney Coddaire actually have signed waivers from the residents? Yes he did. Cheryl Boss of the Finance Committee tried to clarify the request. All the Town was doing was giving up right's to something that does not exist physically only on paper. If someone was to go out and view the area all they would find was grass, trees, and houses etc on the property now. This was exactly so. More discussion took place. Had the site plan approval been met? Jim Pearson Town Engineer said that all requirements had been met. The Moderator asked for the Finance Committee's recommendation. The Finance Committee had no recommendation. The Board of Selectmen were in favor of the article. The Moderator attempted for a unanimous vote by a show of hands. This failed, the following tellers came forwarded and counted a hand count. Dorothy Frawley, Patricia Plank, Lucy Simonian, and Jean Horgan. A 2/3's vote is required, the result was yes 93 no 3, the motion carried.

UNDER ARTICLE 14 Selectman Jeffrey Brem moved to waive the reading of this article. James Sousa, Deputy Fire Chief, came forward and explained that the wording of this article was exactly from the State's Fire Preventions Regulations. Which is law. If any attempt is made to amend or change it then it will run the possibility of not being accepted. The Moderator asked for vote to waiver the reading by a show of hands on the motion. Motion carried.

James Sousa then explained the purpose of the article. By having the Town accept the present State's Regulations, as a by-law this would enable the actual enforcement of the law at a local level. A Discussion took place. Questions were asked concerning section 14 Fire Permits. Bernard Ready moved to delete Section 14 Fire Permits in its entirety. He felt that this was may be too restrictive, he questioned who was to decide what was considered a hazard and issue fines. Deputy Sousa explained that good sense would be used in making any type of determination. He explained that there certainly are instances where he has answered a complaint made by a resident about a neighbor's pile of brush, and did indeed find a hazard. Or he has gone to a company's site and found potential problems. This section was definitely needed and urged that it not be deleted. The Moderator asked for the Finance Committee's recommendation. The Finance Committee did not recommend the motion to delete section 14. The Board of Selectmen were not in favor of the motion.

The Moderator asked for a vote by a show of hands, motion defeated. More discussion took place. Jeffrey Brem moved to amend Section 14 Fire permits, by deleting 2) Violations in it's entirety and replace it with:

a) Any person who violates this Section will be warned by a written notice by the Fire Chief or his Representative. A second violation within any twelve months period shall be punishable by a fine of no more than one hundred dollars ($100.00) for each offense. Each day that a violation continues shall constitute a separate offense.

The Moderator asked for the Finance Committee's recommendation on the motion to amend. The Committee had no recommendation. The Board of Selectmen recommended the motion. The Moderator asked for a vote by way of a show of hands, motion carried. He then asked for a vote by way of a show of hands on the main motion as amended, motion carried. The article reads as follows:

James A. Sousa, moved that the Town vote to amend the General By-laws Article XIV Fire By-laws by adding Section 13. Transportation of Flammable Liquids by a Cargo Tank, and Section 14 Fire Permits as follows:

SECTION 13 TRANSPORTATION OF FLAMMABLE LIQUIDS BY A CARGO TANK

1) CARGO TANK

A) No cargo tank shall be used for the transportation of any class A or Class B flammable liquid or flammable gas unless the same has been approved and a certificate of approval issued therefore but the Marshal, Head of the Fire Department or his designee. Such certificate or approved identification plate shall be located as directed by the Marshal.

B) Application for approval of a cargo tank shall be made to the Marshal, head of the Fire Department or his designee on a form furnished by the Department giving such information in full as requested on form or such other information as he may deem necessary.

C) The certificate of approval as herein provided for shall serve as a permit to transport flammable fluids or gases for a period not to exceed two years. All certificates of approval shall expire on August 31, 1994 and on each even number year thereafter.

2) TRANSPORTATION OF FLAMMABLE LIQUIDS

A) No person shall transport by cargo tank or transport vehicle, any combustible liquid within the Commonwealth unless such liquid is transported in accordance with the requirements of 527 CMR 8.00

B) No person shall deliver any combustible liquid by any vehicle, except to transfer to another vehicle,

unless the person, firm, or corporation receiving such liquids exhibits a permit/license for the store of such liquids.

3) TRANSPORTATION BY OTHER METHODS

A) Any class A or class B flammable liquid transported by other than tank vehicle or pipe vehicle or as otherwise permitted by subsection B and C below shall be transported in approved safety cans, substantial metal drums or other similar container, with all openings thereto tightly closed, except that the provisions of this section need not apply to any class B liquid in an amount not exceeding 55 gallons. Gasoline or other class A petroleum product may be transported without a permit in any open vehicle or in a compartment of a closed vehicle separated from the passengers, in total quantity not to exceed 21 gallons, provided such flammable liquid is contained in one or more suitable metal or plastic containers which have been approved by the Marshal. No such container shall have a capacity of over 7 gallons.

B) Vehicles other than approved tank vehicles may transport combustible liquids in transfer tanks proved that an application has been made and a permit to transport has been issued in accordance with 527 CMR 8.04. The vehicle shall be approved for the transportation of the combustible liquid provided that:

Upon satisfactory proof of need and assurance that the tank has been designed and mounted in accordance with these regulations, a FP44 permit will be issued and a decal affixed to the tank in accordance with 527 CMR 8.00. Board of Fire Prevention Regulations. The vehicle shall be approved for the transportation of the flammable fluid proved that:

1) The tank is securely mounted to the vehicle body or truck bed and its capacity does not exceed 119 gallons;

2) The tank shall be constructed of not less that 12 USS gauge standard open hearth steel plate;

3) The liquid is drawn from the top of the tank by means of a suitable pump to which is attached a durable hose equipped with an approved self closing nozzle;

4) All openings in the tank are secured by plugs or caps maintained wrench tight while vehicle is in transit;

5) The vehicle is equipped with one or more fire extinguishers having a combined rating of 2A 20BC;

6) Permit application for approval of a cargo tank, portable tank or transfer tank shall

be made to the Marshal on a form furnished by the Department giving such information in full a requested, containing the address of the permitted or licensed land in accordance with 527 CMR 14.03 (1) where the vehicle is parked overnight or such other information as he may deem necessary. Upon satisfactory proof of assurance that the tank has been designed and mounted in accordance with 527 CMR 8.00 the head of the Fire Department in the city or town where the vehicle is parked overnight shall issue a permit to transport combustible liquids.

C) Vehicles other than approved tank vehicles may transport class A flammable liquids in quantities in excess of 21 gallons or Class B flammable liquids in excess of 55 gallons provided an application has been made to the Marshal on forms furnished by the Department. The Marshal shall issue a permit for a period up to two years for the transportation of such flammable fluids provided he is satisfied that the owner and the operator of the transporting vehicle are familiar with these regulations and agree to comply with them as provided below:

1) The vehicle shall be equipped and maintained with one or more hand fire extinguishers of combined 2A 20BC rating fire extinguisher shall be kept in good wording condition at all times and shall be located as directed by the Marshal. The head of the Fire Department or his designee.

2) Flammable fluid container shall have a maximum capacity of 55 gallons and be free of corrosion, punctures or other defects which would cause them to leak or rupture. The containers will be fabricated of steel, aluminum of other material compatible with the liquid being store therein. Each container will be equipped with a tight fitting gasket closure to prevent the leaking of the flammable liquid or gases from such container during storage and transportation.

3) Each container will be legibly marked with a waterproof identification describing the contents of the vessel.

4) The Containers of flammable fluids shall be securely enclosed or tied down so that they will not shift or tip when the vehicle makes a sudden stop or turn.

5) No vehicle loaded with flammable fluids as described in this section shall be left unattended for over one hour unless the driver notifies the head of the fire department where it is parked. The head of the Fire Department may assume control of

the vehicle and its contents if the owner is unable or unwilling to removed the vehicle or flammable contents within a reasonable time.

4) FLAMMABLE LIQUIDS IN CONTAINERS

A) No person shall sell, offer for sale, advertise for sale, give, lease, or otherwise transfer for consideration or without consideration any container intended for the keeping, storage, use, handling, transportation, or other disposition of gasoline or kerosene unless and until such containers shall have been approved by the Marshall as safe for such purposes.

5) DEFINITIONS

Approved. Approved by the Marshal.

Cargo Tank Any Container having a capacity of 119 gallons or more intended primarily for the carriage of combustible liquids, including appurtenances, reinforcements, fittings, and closures and which:

(a) is permanently attached to or forms a part of a motor vehicle, or is not permanently attached to a motor vehicle but which by reason of its size, construction, or attachment to a motor vehicle is loaded or unloaded without being removed from the motor vehicle; and

(b) is not fabricated under a DOT specification for portable tanks; and

(c) does not solely supply fuel for the propulsion of the transport vehicle upon which it is mounted.

Combustible Liquid Any liquid having a flash point at or above 100 degrees F (38 degrees C).

Compartment A liquid-tight division of a cargo tank.

Department Department of Public Safety or Department of State Police.

Flammable Liquid Any liquid having a flash point below 100 degrees F (38 degrees C) and having a vapor pressure not exceeding 40 psia at 100 degrees F.

Marshal The State Fire Marshal

Person Any person, firm or corporation.

Portable Tank Any container designed primarily to be loaded onto, or on, or temporarily attached to a transport

vehicle and equipped with skids, mounting, or accessories to facilitate handling of the tank by mechanical means.

Tank Semi-Trailer Any vehicle, with or without auxiliary motive power, equipped with a cargo tank mounted thereon or built as an integral part thereof, and used for the transportation of combustible liquids, and so constructed that, when drawn by a tractor by means of a fifth wheel connection, some part of its load and weight rests upon the towing vehicle.

Tank Truck Any single self-propelled motor vehicle equipped with a cargo tank mounted thereon, and used for the transportation of combustible liquids.

Tank Vehicle Any tank truck or tractor and tank semi-trailer combination equipped with a cargo tank mounted thereon or built as an integral part thereof, used for the transportation of combustible liquids upon the highways.

Tractor A self-propelled motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Transfer Tank Any container having a liquid capacity of less than 119 gallons into which combustible liquids are loaded, and drawn out be means of a pump assembly.

Transport Vehicle Any vehicle such as an automobile, van, truck, tractor or semi-trailer, or any combination thereof, propelled or drawn by mechanical power and used upon the highways in the transportation of passengers and property.

6) VIOLATIONS

A) Any violations of this section shall be punishable by a fine of $100.00 for each offense. Each day that any violation continues shall constitute a separate offense.

7) SEVERABILITY

A) It is hereby declared that the provisions of this bylaw are severable, and if any provisions of this by-law shall be declared unlawful by a valid judgement or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining provisions of this by-law.

SECTION 14 FIRE PERMITS

1) PERMIT FOR OPEN BURNING

A) A permit must be obtained through the Fire Department prior to any open burning. Controlled fires for the sole purpose of cooking are exempt.

B) The Permit Holder must follow the guidelines set forth in 310 CMR Department of Environmental Protection which includes but is not exclusive to the following:

1) Burning between 10:00 AM and 4:00 PM only. Please note: Fire must be completely extinguished by 4:00 PM.

2) Burning must be a least 75 feet from all dwellings.

3) Burning (with a permit) of the following is allowed: brush, cane and forestry debris from other than commercial or industrial land clearing operations.

4) Burning of the following materials is prohibited; brush trees, cane and driftwood from commercial and/or institutional land clearing operations, grass, hay, leaves, stumps and tires.

5) Stacking, placing or storing combustible materials such that a prudent person would presume that it will be burned is prohibited.

C) Permit holder must attend the fire until completely extinguished and shall have available a water supply such as pressurized water, pump can or a garden type hose of sufficient length to reach the fire area. The fire must be completely extinguished before leaving it unattended.

2) VIOLATIONS

A) Any person who violates this Section will be warned by a written notice by the Fire Chief or his Representative. A second violation within any twelve months period shall be punishable by a fine of no more than one hundred dollars ($100.00) for each offense. Each day that a violation continues shall constitute a separate offense.

3) SEVERABILITY

A) It is hereby declared that the provisions of this by-law are severable, and if any provisions of this by-law shall be declared unlawful by a valid judgement or

decree of any court competent jurisdiction. Such invalidity shall not affect any of the remaining provisions of this by-law.

UNDER ARTICLE 15 James Good Chairman of the Planning Board moved to withdraw the article. He had received a letter dated October 26th from Attorney James Geary who represented Raymond and Barbara Carye who do not want to proceed any further with the proposal.
The Moderator asked for the Finance Committee's recommendation on the motion to withdraw. The Finance Committee and the Board of Selectmen both recommended withdrawing the article. The Moderator asked for vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 16 Selectman Jeffrey Brem, moved that the Town vote to amend the Chelmsford Home Rule Charter under Part III, Section 3-2 (c), Board of Selectmen Appointment Powers, by deleting the following:

"(c) Appointment Powers
The Board of Selectmen shall appoint a Town Manager, a Town Counsel, a Town Accountant, and a Board of Registrars of Voters (but not including the Town Clerk). The Board of Selectmen shall also appoint such other multiple member bodies as may be provided by by-law."

and add the following as Part III, Section 3-2 (c):

The Board of Selectmen shall appoint a Town Manager, a Town Counsel, a Town Accountant, and a Board of Registrars of Voters (but not including the Town Clerk). The Board of Selectmen shall also appoint such policy advisory committees as they deem necessary, licensing committees, and such other multiple member bodies as may be provided by by-law".

Selectman Roger Blomgren said that this article had appeared on the Spring warrant. He gave a presentation and which showed the different policy committees that have been formed. He explained the purpose of the article. He felt that if the Board of Selectmen wanted to have a committee formed they had to request the Town Manager to do so. He felt that the Board of Selectmen should be able to appoint the committee, and that the Committee would answer to the Board and not the Manager. Numerous questions were asked from the Representatives. Concerns were expressed about the wording. The Finance Committee was against the article. They feel that the Town Manager handles the everyday operations of the Town. The Board of Selectmen are a part-time Board. The Manager has the time to investigate qualified people for committees where the Board has a history of appointing people for political reasons, who may not necessarily be qualified to be on a committee. The Board of Selectmen had previously recommended to the article, by a 3-2 vote. Selectman Blomgren then moved to amend the article by putting a period in the second sentence after the word necessary, and delete all the wording appearing after. The Moderator asked the Finance Committee's recommendation on the motion to amend, the Finance Committee was in favor. The Board of Selectmen were in favor of the motion to amend. He then asked for a vote by way of a show of hands on the motion

to amend. Motion carried. The discussion continued. Selectman DeFreitas spoke against the article. Selectman Brem spoke in favor of the article. Barry Balan spoke against the article. Harry Foster spoke in favor. Leonard Doolan moved the question to stop debate. The Moderator asked for a show of hands on the motion to stop debate. Motion carried. He then asked for a vote by way of a show of hands on the article as amended, motion defeated.

UNDER ARTICLE 17 Selectman Jeffrey Brem moved that the Town vote to amend the General By-Laws Article VI Police Regulations by adding Section 23, Sale of Non-Alcoholic Beverages as follows

"Section 23 SALE OF NON-ALCOHOLIC BEVERAGES

It shall be unlawful for any person, business, corporation, or partnership to sell or cause to be sold, to any person under the age of 21, non-alcholic beer, or any malt beverage with any alcoholic content, however much reduced.

Whoever violates any provision of this ordinance shall be fined two hundred ($200.00) dollars per offense."

Selectman Brem spoke about the article. The Board had been approached to look at changing the law by put a restriction on the licensing of a certain beverage. After looking into the matter, all the Board could in fact do was to propose a by-law, and let the Town Meeting Representative decide the issue.
Dennis Ready, speaking on behalf of the proponent of the article, moved to amend the article by inserting the following wording as Paragraph 2:
"Such non-alcoholic beer, non-alcoholic wine or such malt beverages shall be sold only by establishments licensed by the Town pursuant to Massachusetts General Laws, Chapter 138"
John Harrington came forward and explained the purpose of the article. Surrounding area cities and towns have passed this proposed law. This would protect anyone under the age of 21 from purchasing a product that looks like beer and tastes like beer. This is because it does not fall under the jurisdiction of the ABC Board. He answered a question concerning the amount of alcohol present in the non-alcoholic products. Attorney Joseph Shanahan, representing E.J. Reardon Co. a wholesale distributor, wanted to know why correspondence that he had dated September 8th referred that non-Alcoholic beer does not fall under the definition of chapter 138, does not apply under the Alcoholic Beverage Control boards jurisdiction, how can the amendment to the article stand? James Harrington Town Counsel said that this correspondence was concerning the authority of chapter 138 had with the ABCC. The amendment only applies to the sale of the beverage in package stores. James Harrington explained that his opinion of the original article would be a legal article, however in regards to the amendment being attached the by-law could be jeopardized, the Attorney General may not approve it. Some other town's have submitted this wording but as of yet no approval or disapproval has been made.
Questions were asked on where these non-alcoholic beverages could be purchased. John Harrington explained that any establishment or store is eligible to sell any non-alcoholic

product, and that there is no age limit of the buyer. The Moderator asked for the Finance Committee's recommendation. The Committee had no recommendation at this time. The Board of Selectmen do not support the amendment. They had in fact supported the original article. Attorney Joseph Shanahan again mentioned that he was representing a local distributor, E.J. Reardon Co. spoke against the article. John Harrington owned a liquor store here in Town, where exactly were his interests in the actual sale of the product? He said that these products have been on the market and available for a long time. He doesn't believe that there is that many sales to minors of this product. He cited the many other products that are non-alcoholic beer products that contain much more alcohol such as cough syrups for example are readily available. There are many products that are marketed to be used as a substitute. Other concerns should be made toward controlling the sale of cigarettes, or machine guns. There are age limits on the sale of these items, which are far more dangerous to the person and the public. A lengthy discussion followed. William Keohane spoke about the intent of the article. Was it in fact the intent of this article to keep the sale in the liquor stores because of the growing market and interest of non-alcoholic beverages being consumed by people of legal age. Beer Companies want to control the whole market, the drinkers and the non drinkers. That is why this product has been developed by them. If that is the case, then Liquor stores shouldn't be able to sell chips or other items that aren't related to their actual licenses. He can't see why a teenager would want to spend the amount of money required to purchase a product that looks and tastes like beer, if they want the real thing they find a way to make it available to them for the price they pay. That is what should be looked into is the issue of teenagers consuming real alcohol and the abuse that goes on because there isn't more control. A number of Representatives spoke in favor of passage of the article. Raymond McKeon spoke in favor of the article. Concerns were expressed about the use by the children of the community. Susan Gates spoke about defeating the amendment and pass the original article. Selectman Blomgren asked if the amendment could cause the Attorney General to not approve the article. Town Counsel replied yes there was a possibility that it may not be approved, that is why he would not approve it. Should the original article pass and be approved by the Attorney General then at a later Town Meeting an article could be submitted amending the by-law to reflect the current amendment. The Moderator asked for a hand vote on the motion to amend the article. Motion defeated. More discussion took place. A number of Representatives spoke in favor of the article. Allen Thomas spoke about the article. The issue is not the fact that children are drinking beer. The suppliers of the product should be held responsible for selling to minors. Cut off the supply and deal with the children through recreation, the article is a white wash. Dennis Ready made a motion to moved the question to stop debate. Motion carried, unanimously by a vote of a show of hands. The Moderator then attempted a hand count which failed. The tellers came forward and a hand count was conducted. Yes 48 no 56 motion defeated.

The Moderator announced that Dr. Richard Moser, Superintendent of Schools wanted to address the Representatives at the conclusion of the meeting.

UNDER ARTICLE 18 Thomas Moran moved that the Town vote to transfer and appropriate the amount of $120,000.00 from line item 16, snow and ice for the purpose of re-opening the West Fire Station effective December 1, 1992.

Thomas Moran spoke about the article. The actual amount needed would be $150,000. but he felt that the other $30,000. could be found within the budget. There was $119,000.00 left in the snow and ice account last year. There is a need now for re-opening the station, according to the past records available. In 1989 there were 668 emergencies, sixty-four of them were medical emergencies. The Fire Department is the first to respond to these, not an ambulance. The station was built in 1970 because there was a need. He felt that in all fairness the Fire stations all over the Town should be on a rotating basis, so that all areas of Town receive the same type of coverage and protection. Bernard Lynch, Town Manager said that he was investigating for the future possibility of re-opening the station now that the fire contract is more manageable. However, using the monies in the snow and ice account is not the answer at this time.
The Finance Committee was not in favor of using the money from the snow and ice account. This money is raised each year for the purpose of maintaining the entire Town. The amount is based on the dollar amount voted the previous year. The majority of the Board of Selectmen were against the article. A number of Representatives spoke in favor of the article. James Sousa said that the Town should get the most service for the money spent. He felt that this would buy a lot of service for a much needed situation. The Moderator asked for a vote by way of a show of hands on the article. Motion defeated. A hand count was requested. The tellers came forward and conducted a hand count. The result was Yes 43 No 54, the motion was defeated.

The Moderator closed the meeting seeing that there was no further articles.

Dr Richard Moser came forward and invited the Representatives to attend a meeting scheduled for Tuesday November 17th, with the Aids Task Force. The Committee was scheduled to make certain recommendations concerning aids awareness and education.

The meeting adjourned at 11:30 PM.

Dennis E. McHugh, Moderator	Mary E.St.Hilaire, Town Clerk

TOWN WARRANT FOR STATE ELECTION

NOVEMBER [illegible]

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the Constable of the Town of Chelmsford:

GREETING:

In the name of the Commonwealth you are hereby required to notify and warn the Inhabitants of said Town who are qualified to vote in elections to vote at:

Precinct 1: Town Offices Gymnasium, 50 Billerica Road
Precinct 2: Harrington School Gymnasium, 120 Richardson Road
Precinct 3: Harrington School Gymnasium, 120 Richardson Road
Precinct 4: Westlands School Cafeteria, 170 Dalton Road
Precinct 5: Byam School Cafeteria, 25 Maple Road
Precinct 6: Westlands School Cafeteria, 170 Dalton Road
Precinct 7: McCarthy Middle School Small Gymnasium, 250 North Road
Precinct 8: McCarthy Middle School Small Gymnasium, 250 North Road
Precinct 9: Town Offices Gymnasium, 50 Billerica Road

On Tuesday the third day of November, 1992 from 7:00 A.M. to 8:00 P.M. for the following purposes:

1) To cast their votes in the State Election for the candidates of political parties for the following offices:

ELECTORS OF THE PRESIDENT AND VICE PRESIDENT	FOR THE COMMONWEALTH
REPRESENTATIVE IN CONGRESS	Congressional District
COUNCILLOR	Councillor District
SENATOR IN GENERAL COURT .....5th middlesex	Senatorial District
REPRESENTATIVE IN GENERAL COURT ..16th mdlsx	Representative District
COUNTY SHERIFF .....Middlesex	County
COUNTY COMMISSIONER .....Middlesex	County

2) To Vote on the Following Questions:

#1. Tax on Cigarettes and Smokeless Tobacco
#2. Public Reporting of Corporate Tax Information
#3. Requiring Reduced, Reusable or Recyclable Packaging
#4. Tax on Oils and Hazardous Materials.

eof fail not and make return of this warrant with your doings thereon
the time and place of said election.

en under our hands this 14th day of October , A.D. 1992.

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

William R. Logan, Chairman

Richard E. DeFreitas, V.Chrman

Peter V. Lawlor, Clerk

Roger A. Blomgren

Jeffrey A. Brem

COMMONWEALTH OF MASSACHUSETTS

DDLESEX, SS October 14, 1992

rsuant to the within warrant, I have notified and warned the habitants of the Town of Chelmsford by posting up attested pies of same at the following places, to wit:
wn Office Building Gym, Harrington School Gymnasium, Harrington hool Gymnasium, Westland School Cafeteria, Byam School fetorium, Westland School Cafeteria, McCarthy Middle School all Gymnasium, McCarthy Middle School Small Gymnasium, and Town fice Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence,
Constable

True Copy Attest,
William E. Spence, Constable

SHERIFF MLDSX CTY										
Blanks	240	382	298	244	382	283	310	275	272	2686
John P. McGonigle	974	1173	924	1098	1121	982	1017	1018	990	9297
Michael J. Dever	638	751	648	560	828	717	865	656	731	6394
Write-In	4	2	1	2	1	0	1	6	5	22
Misc	0	2	0	4	3	2	2	0	2	15
TOTAL	1856	2310	1871	1908	2335	1984	2195	1955	2000	18414

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
QUESTION 1										
Blanks	49	53	46	59	43	60	53	45	41	449
YES	968	1228	1111	942	1297	1091	1300	1093	1125	10155
NO	839	1029	714	907	995	833	842	817	834	7810
TOTAL	1856	2310	1871	1908	2335	1984	2195	1955	2000	18414
QUESTION 2										
Blanks	156	209	163	158	178	184	216	200	178	1642
YES	853	1039	956	896	1169	929	1069	967	963	8841
NO	847	1062	752	854	988	871	910	788	859	7931
TOTAL	1856	2310	1871	1908	2335	1984	2195	1955	2000	18414
QUESTION 3										
Blanks	54	66	52	73	51	79	60	60	45	540
YES	681	870	785	694	931	767	935	779	832	7274
NO	1121	1374	1034	1141	1353	1138	1200	1116	1123	10600
TOTAL	1856	2310	1871	1908	2335	1984	2195	1955	2000	18414
QUESTION 4										
Blanks	137	125	94	146	121	130	114	123	86	1076
YES	640	848	750	663	897	712	854	760	784	6908
NO	1079	1337	1027	1099	1317	1142	1227	1072	1130	10430
TOTAL	1856	2310	1871	1908	2335	1984	2195	1955	2000	18414

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	
COUNTY COMM (2)										
Blanks	1160	1575	1207	1268	1605	1310	1407	1189	1256	11977
Edward J. Kennedy	872	1130	846	1019	1017	943	939	1014	824	8604
Thomas J. Larkin	688	769	616	686	773	644	683	691	671	6221
James P. Regan	490	538	538	407	620	542	671	493	618	4917
Edward L. Weinberg	343	419	396	291	489	393	532	358	476	3697
Richard S. Mahoney	151	183	137	140	160	132	154	156	155	1368
Write-In	8	5	2	3	2	4	2	9	0	35
Misc	0	1	0	2	4	0	2	0	0	9
TOTAL	3712	4620	3742	3816	4670	3968	4390	3910	4000	36828

STATE ELECTION NOVEMBER 3. 1992

amended Nov 13, 1992 Fed Law counted 9 out of the country ballots. 4 were only allowed to vote for Pres & Rep in Congress

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
PRESIDENT AND VICE PRESIDENT										
Blanks	16	15	14	11	8	15	17	8	12	116
Bush/Qualye	580	727	622	619	784	692	801	611	715	6151
Clinton/Gore	732	913	704	720	841	703	746	793	680	6832
Fulani/Munoz	1	2	1	1	1	0	0	1	1	8
Hagelin/Tompkins	1	1	1	0	0	0	0	0	0	3
LaRouche/Bevel	0	0	1	0	0	0	0	0	0	1
Marrou/Lord	7	11	5	7	9	8	9	11	6	73
Perot/Stockdale	512	632	518	546	684	560	613	527	583	5175
Phillips/Knight	1	1	0	1	0	1	0	2	0	6
Brisben/Garson	0	0	0	0	0	0	0	0	0	0
Dodge/Ormsby	0	0	0	0	0	0	0	0	0	0
Write-In	6	8	5	3	8	5	9	3	3	50
Misc	0	0	0	0	0	2	1	0	0	3
TOTAL	1856	2310	1871	1908	2335	1986	2196	1956	2000	18418
REP IN CONGRESS 5TH DISTRICT										
Blanks	79	157	130	99	158	105	125	102	129	1084
Paul W. Cronin	596	675	654	553	796	656	871	608	751	6160
Martin T. Meehan	1023	1294	961	1123	1193	1105	1061	1107	965	9832
David E. Coleman	31	34	40	30	44	25	20	47	41	312
Mary J. Farinelli	121	143	85	98	136	91	117	86	111	988
Write-In	6	5	1	3	8	2	0	5	3	33
Misc	0	2	0	2	0	2	2	1	0	9
TOTAL	1856	2310	1871	1908	2335	1986	2196	1956	2000	18418
COUNCILLOR 3RD DISTRICT										
Blanks	219	351	283	244	358	252	311	248	296	2562
Robert B. Kennedy	929	1185	871	1033	1048	952	976	1009	843	8846
Vincent P. McLaughlin	706	773	714	628	926	778	901	691	857	6974
Write-In	2	0	2	1	1	1	2	7	0	16
Misc	0	1	1	2	2	1	5	0	4	16
TOTAL	1856	2310	1871	1908	2335	1984	2195	1955	2000	18414
SENATOR IN GENERAL COURT 5TH										
Blanks	508	782	558	611	662	556	586	600	573	5436
Lucille "Cile" P. Hicks	1318	1511	1304	1287	1655	1413	1586	1332	1415	12821
Write-In	19	12	7	6	11	5	16	23	12	111
Misc	11	5	2	4	7	10	7	0	0	46
TOTAL	1856	2310	1871	1908	2335	1984	2195	1955	2000	18414
REP. IN GENERAL COURT 16TH MLDSX										
Blanks	440	660	443	498	557	461	496	474	463	4492
Carol C. Cleven	1393	1632	1414	1393	1763	1510	1681	1464	1528	13778
Write-In	13	11	11	10	10	6	11	17	8	97
Misc	10	7	3	7	5	7	7	0	1	47
TOTAL	1856	2310	1871	1908	2335	1984	2195	1955	2000	18414

WARRANT FOR ANNUAL
TOWN ELECTION APRIL 6, 1993

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ:

Precinct 1. Town Office Building Gymnasium

Precinct 2. Harrington Elementary School Gymnasium

Precinct 3. Harrington Elementary School Gymnasium

Precinct 4. Westlands School Cafetorium

Precinct 5. Byam School Cafetorium

Precinct 6. Westlands School Cafetorium

Precinct 7. McCarthy Middle School, Small Gymnasium

Precinct 8. McCarthy Middle School, Small Gymnasium

Precinct 9. Town Office Building Gymnasium

On Tuesday, the 6th day of April, 1993 being the first Tuesday in said month at 10:00 a.m. until 8:00 p.m. for the following purposes:

To bring in their votes for the following officers:

(1) One Town Moderator for three years

(2) One Selectman for three years

(3) Two Members of School Committee for three years

(4) Three members of Public Library Trustees for three years.

(5) Two Planning Board Members for three years

(6) One Member of Housing Authority for five years

(7) One Cemetery Commissioner for three years

(8) One Member of Board of Health for three years

(9) Two Sewer Commissioners for three years

To bring in their vote for the election of 162 Town Meeting Members, 18 representatives per precinct, for terms based on election results as stated in the charter as follows:

> The first third in order of votes received shall serve for three years; the second third of such order shall serve for two years and the remaining third in such order shall serve for one year from the date of the annual town election.

The polls will be open from 10:00 a.m. until 8:00 p.m.; and to meet in the McCarthy School Gymnasium on Monday, the twenty-sixth day of April, at 7:30 p.m. in the evening, then and there to act upon the following articles, VIZ:

Article 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

Board of Selectmen

Article 2. To see if the town will instruct its representatives to the General Court to support an amendment to the FY'94 state budget to guarantee that cities and towns receive the full $47 million growth in lottery revenues;
or act in relation thereto.

Board of Selectmen

Article 3. To see if the town will instruct its representatives to the General Court to support legislation filed by the Massachusetts Municipal Association that would establish in state law a Local Roads Fund in order to ensure a fair and predictable share of state gas tax collections for distribution to cities and towns for use on local roads;
or act in relation thereto.

Board of Selectmen

Article 4. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land on Mallory Street, shown as Lots 17 and 23 on Assessor's Map 45, containing 4250 and 5000 square feet more or less respectively; or act in relation thereto.

Board of Selectmen

Article 5. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land on Mallory Street shown as Lot 15 on Assessor's Map 45 containing 5,000 square feet more or less; or act in relation thereto.

Board of Selectmen

Article 6. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land off Maple Road as set forth in a plan to be filed in the Town Engineer's office, containing 26,548 square feet more or less and more particularly described as follows:

Beginning at an (I.P.) at the most Easterly point of land of Tech Ridge Inc., abutting the Town of Chelmsford, as shown on M.N.R.D. Book of Plans 89, Plan 102A and thence;

NORTHEASTERLY by land of the Town of Chelmsford, (90.36') to an (I.P.) thence;

By an interior angle, of (65°-13'-30") by land of the Town of Chelmsford, (56.94') to an (I.P.) thence;

By an interior angle, of (265°-54'-50") by land of the Town of Chelmsford, (142.47') to an (I.P.) thence;

By an interior angle of (220°-42'-30") by land of the Town of Chelmsford (140.74') to an (I.P.) thence;

By an interior angle of (103°-17'-50") by land of the Town of Chelmsford (50.00') to a point thence;

By an interior angle of (105°) (180') to a point thence;

By an interior angle of (89°-55'-05") (330.42') to an (I.P.) and the point of beginning; containing 26,548 square feet of land more or less.

This vote authorizing the Board of Selectmen to convey said parcel is contingent upon a favorable vote of the School Committee pursuant to Chapter 40 Section 15 and further contingent upon the acquisition of an easement for access to remaining Town property by emergency vehicles over said parcel and adjacent land fronting on Maple Avenue;
or act in relation thereto.

Board of Selectmen

Article 7. To see if the Town vote to petition the Great and General Court of the Commonwealth of Massachusetts to amend the following Massachusetts General Laws, pertaining to Civil Service Law Chapter 31, Section 39 as follows:

AN ACT RELATIVE TO REDUCTION IN FORCE FOR EMPLOYEES OF THE FIRE FORCE OF THE TOWN OF CHELMSFORD.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows;

SECTION 1. Chapter 47 of the acts of 1990 is hereby amended by inserting after the word "force", in line 7 of the following words:-in the Town of Chelmsford.

SECTION 2. Said Chapter 47 is hereby further amended by inserting after section 1 the following section:-

SECTION 1A. Notwithstanding the provisions of section thirty-three of chapter thirty-one of the General Laws or the first sentence of section thirty-nine of chapter thirty-one of the General Laws or any other general or any other special law or rule or regulation to the contrary and except as provided in section one, if a permanent employee of the fire force of the Town of Chelmsford serving in any position is to be separated from such position because of a lack of money or the abolition of such position, each such employee shall be separated from his position according to his seniority in the fire force in the Town of Chelmsford and shall be reinstated in the fire force according to such seniority.

SECTION 3. This act shall take effect upon passage; or act in relation thereto.

Petition

ARTICLE 8. To see if the Town will adopt the following resolution relative to the current action being undertaken by the Chelmsford Public School System to formulate an HIV/AIDS Prevention Program to become an integral part of the Kindergarten through Twelfth Grade curriculum:

WHEREAS the HIV/AIDS virus is acknowledged to be a life-threatening infectious disease and as such, can be accorded objective, academic instruction to inform students as to its nature and danger, and

WHEREAS the HIV/AIDS virus is generally recognized as falling under the category of a social disease, and

WHEREAS the mechanics of actually disseminating the medical facts relating to the infection are subject to the originator's subjective, personal system of moral and ethical values, therefore

BE IT RESOLVED that any HIV/AIDS Prevention Program as may be proposed and/or adopted by the leadership of the Chelmsford Public School System shall:

1. be implemented as a specific, structured course of instruction, i.e. as opposed to being carried on as a comprehensive program with HIV/AIDS information dispersed throughout the entire curriculum of the Chelmsford School System, and

BE IT FURTHER RESOLVED that:

2. the citizenry of the Town of Chelmsford shall have ready access to a detailed scope and sequence of the program to be offered for its examination and study, and

3. any such program shall not set forth a mandatory requirement for students to successfully complete it as a prerequisite for promotion or final graduation, and finally

4. any such program shall only be attended by students who produce a letter of approval to attend, signed by their respective legal parent(s) or guardian(s), i.e. a failure to receive such written communication from a parent or guardian shall not be understood to be tacit approval for the student in question to be required to attend;
or act in relation thereto.

Petition

Article 9. To see if the Town will vote to amend the General By-Laws Article II Section 2.2 PUBLICATIONS by deleting section 2.2 which reads as follows in its entirety:

2.2 PUBLICATIONS - The warrant article shall be included in the Finance Committee report which shall be made available to Town Meeting Members and the public not less than two (2) weeks before either Town meeting. The warrant articles for any Special Town Meeting shall be made available to the Town Meeting Members not less than fourteen (14) days before the Special Town Meeting.

And add the following Section 2.2:

2.2 PUBLICATIONS - The warrant article shall be included in the Finance Committee report which shall be made available to Town Meeting Members and the public not less than one (1) week before either Annual Town Meeting. The warrant articles for any Special Town Meeting shall be made available to the Town Meeting Members not less than fourteen (14) days before the Special Town Meeting;
or act in relation thereto.

Finance Committee

Article 10. To see if the Town will vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easements in Chelmsford, Massachusetts, Phase IIIA Sewers, prepared for the Chelmsford Sewer Commission by Richard F. Kaminski & Associates, Inc", a copy of which is on file in the office of the Town Engineer and is incorporated herein by reference, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto; and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, transfer and appropriate from revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Sewer Commission

Article 11. To see if the Town will vote to amend the Chelmsford Home Rule Charter Under Part II Legislative Branch/Representative Town Meeting Section 2.5 Vacancies (c) forfeiture of office by adding the following paragraph:

> Any town meeting member who shall fail to attend more than one-half of the sessions of the town meeting held in a calendar year, may appeal the declaration of vacancy by requesting a hearing on removal. A request for Hearing shall be in writing and shall be filed with the Town Clerk on or before January 15th of the following calendar year. A hearing shall be held before a committee consisting of the Town Clerk, Town Moderator and Town Counsel to be held no later than January 25th of said year. Upon the showing of good cause by the member the Committee may excuse one or more absences and may rescind the Declaration of Vacancy provided the Town meeting member has attended at least one-half of the unexcused sessions of the Town Meeting during said calendar year";
> or act in relation thereto.

Town Clerk
Board of Selectman

Article 12. To see if the Town will vote to amend the Chelmsford Home Rule Charter under Part II Legislative Branch/ Representative Town Meeting Section 2.9 Participations by Non-Town Meeting Members Subsection (b) Representatives of Town Agencies by adding the following paragraph:

> "Any Elected or appointed Town Official may submit a motion under any warrant article pertaining to matters within their purview".
> Or act in relation thereto.

Town Moderator
Board of Selectmen

Article 13. To see if the Town will vote to accept the provisions of Section 48 of Chapter 133 of the Acts of 1992, an Act concerning Early Retirement Incentive; or act in relation thereto.

Board of Selectmen

Article 14. To see if the Town will vote to amend the General Bylaws Article VI Police Regulations by adding the following:

SECTION 22 PROHIBITION OF TRAPPING BY MEANS OF THE LEGHOLD AND CONIBEAR TRAP ON PRIVATE AND PUBLIC LANDS WITHOUT THE WRITTEN PERMISSION OF THE PROPERTY OWNER.

1. IT SHALL BE PROHIBITED AND UNLAWFUL FOR ANY PERSON TO SET, TRIGGER, ACTIVATE, OR OTHERWISE CAUSE TO BE SET, TRIGGERED, ACTIVATED OR USE ANY TYPE OR MODIFICATION OF ANY STEEL JAWED LEGHOLD TRAP INCLUDING THE SOFT CATCH TRAPPING SYSTEM, OR ANY FORM OF JAW TRAP OR CONIBEAR TRAP, FOR THE CAPTURE OF ANY ANIMAL WITHOUT THE WRITTEN PERMISSION OF THE PROPERTY OWNER CARRIED ON THE TRAPPER'S PERSON. THIS WRITTEN PERMISSION IS TO BE RENEWED YEARLY. PUBLIC LANDS WOULD REQUIRE THE WRITTEN PERMISSION OF THE DEPARTMENT HEAD WHO OVERSEES SAID LAND.

2. THE DEFINITION SET FORTH IN GENERAL LAW CHAPTER 131, SECTION 1 OF "TO TRAP", AS SAID ACT APPLIES TO FUR BEARING MAMMALS, ARE INCORPORATED HEREWITHIN.

3. THE POLICE DEPARTMENT AND OR ANIMAL CONTROL OFFICER OF CHELMSFORD SHALL BE AUTHORIZED TO ENFORCE THIS BY-LAW PURSUANT TO ARTICLE 1 OF TOWN OF CHELMSFORD GENERAL BY-LAWS

4. THE FINE FOR EACH VIOLATION OF THIS SECTION SHALL BE THREE HUNDRED DOLLARS ($300.00), WITH EACH VIOLATION CONSTITUTING A SEPARATE OFFENSE. SAID VIOLATIONS SHALL BE PUNISHABLE AS PROVIDED IN ARTICLE 1 OF TOWN OF CHELMSFORD BY-LAWS;
or act in relation thereto.

Petition

Article 15. To see if the Town will vote to authorize the Board of Selectmen to sell pursuant to the provisions of Massachusetts General Laws Chapter 30B a painting known as "Amos Adams", and further to designate and restrict the use of any funds received from said sale to Public Library Building Needs; or act in relation thereto

Library Trustees
Board of Selectmen

Article 16. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds transfer and appropriate from the Stabilization Fund, transfer and appropriate from the Library Endowment Fund, and/or borrow a certain sum of money for the purpose of purchasing real property consisting of the land with the buildings thereon located at 10 Bartlett Street Chelmsford, Massachusetts for Public Library purposes; or act in relation thereto.

Library Trustees
Board of Selectmen

Article 17. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to enter into compensatory balance agreements, during Fiscal Year 1994, as permitted by General Laws Chapter 44, Section 53F; or act in relation thereto.

Town Treasurer

Article 18. To see if the Town will vote to transfer a certain sum of money from the sale of the Graves and Lots to the Cemetery Improvement and Development Fund; or act in relation thereto.

Cemetery Commission

Article 19. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money with which to meet bills from previous years; or act in relation thereto.

Board of Selectmen

Article 20. To see if the Town will vote to accept the provisions of Section 12 of Chapter 188 of the Acts of 1985, the School Improvement Act, in relation to the Equal Educational Opportunity Grant in the amount of $17,207.00 for the Nashoba Valley Technical High School for the 1993-94 School Year; or act in relation thereto.

Nashoba Valley
Technical
High School
District
Committee

Article 21. To see if the Town will vote to transfer a certain sum of money from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 1994 Budget; or act in relation thereto.

Sewer Commission

Article 22. To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 53D "Recreation and Park Self-Supporting Service Revolving Funds"; or act in relation thereto.

Board of Selectmen

Article 23. To see if the Town will vote to transfer a certain sum of money from Conservation fees under wetlands Special Reserve Fund to reduce the Conservation Commission Budget Fiscal Year 1994; or act in relation thereto.

Conservation Commission

Article 24. To see if the Town will vote to raise and appropriate, or transfer and appropriate from available funds, a certain sum of money to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford; or act in relation thereto.

Board of Selectmen

Article 25. To see if the Town will vote to raise and appropriate or transfer from available funds, a certain sum of money for the purpose of funding the sand lease approved by the Town under Article 12 of the 1989 Annual Town Meeting; or act in relation thereto.

Board of Selectmen

Article 26. To see if the Town will vote to raise and appropriate such sums of money as may be required to defray Town charges for the fiscal period July 1, 1993 to June 30, 1994; or act in relation thereto.

Town Manager

Article 27. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money for the purpose of providing Senior Citizen Real Estate Tax Payment Vouchers for services rendered, pursuant to an agreement to be formulated by the Council on Aging and approved by the Town Manager; or act in relation thereto.

Town Manager
Council on Aging

Article 28. To see if the Town will vote to appropriate a certain sum of money for the following capital projects:

DEPARTMENT	ITEM	BUDGET
Library	McKay Handicap	$ 10,000
School	Furniture	$ 24,000
	CHS Lockers	$ 15,000
	A/V - Computer	$ 22,000
	Byam Roof	$ 200,000
	CHS Exit Doors	$ 75,000
	McCarthy Lockers	$ 15,000
	Lav Repair	$ 10,000
	HVAC Repair	$ 20,000
	Int. Painting	$ 32,000
Data Processing	Equipment	$ 100,000
DPW	Sidewalk Flow	$ 53,000
	Road Maint	$ 200,000
	Sidewalk	$ 100,000
	Truck w/Sander	$ 60,000
	Vehicles	$ 42,000

ARTMENT	ITEM	BUDGET
	CHE Licenses	$
	ADV - Computer	$
	Steam Roll	$
		$ 72,000
		$ 10,000
		$ 20,000
		$
a Processing		$
		$
		$ 200,000
		$ 100,000
		$
		$

Fire Department	Eng 1 Roof	$ 15,000
	Eng 3 Generator	$ 15,000
Police	Cruisers (4)	$ 64,000
	Furnace	$ 10,000
	Facility Study	$ 10,000
TOTAL		$1,092,000

and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, and/or borrow a certain sum of money to fund these obligations; or act in relation thereto.

Board of Selectmen
Town Manager
Capital Planning
Committee

Article 29. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws Chapter 40, Section 6; or act in relation thereto.

Finance Committee

Article 30. To see if Town will vote to amend the General By-Laws Article VI SECTION 20 PROHIBITION ON UNAUTHORIZED PARKING IN DESIGNATED HANDICAPPED PARKING SPACES IN PRIVATE OR PUBLIC WAYS by deleting paragraphs 2, 7, and 8, which read as follows in their entirety:

2. A fine of $15.00 shall be imposed for the unauthorized parking of a motor vehicle in a space reserved and designated for use by vehicles of handicapped persons, pursuant to the authority of Chapter 90, Section 20C of the Massachusetts General Laws.

7. Any motor vehicle bearing a handicapped parking permit or motor vehicle registration plate designating the vehicle as one used by a handicapped person shall be authorized to park in a designated handicapped parking space. The Chief of Police, his designee, or the Town Clerk may issue a temporary handicapped Parking Permit to any person upon application with supporting medical affidavit signed by a licenses physician designating

the applicant as physically handicapped. Said temporary permit shall be issued with an expiration date not to exceed sixty (60) days from the date of issue and shall be displayed in front right windshield of any vehicle parked in a designated handicapped parking space.

8. The unauthorized use of a temporary permit shall be punishable by a fine of $50.00.

And add the following paragraphs 2, 7, and 8:

2. A find of $100.00 shall be imposed for the unauthorized parking of a motor vehicle in a space reserved and designated for use by vehicles of handicapped persons, pursuant to the authority of Chapter 40, Section 21 of the Massachusetts General Laws.

7. Any motor vehicle bearing a handicapped parking permit or motor vehicle registration plate designating the vehicle as one used by a handicapped person shall be authorized to park in a designated handicapped parking space. The Chief of Police, his designee, or the Town Clerk may issue a temporary handicapped Parking Permit to any person upon application with supporting medical affidavit signed by a licensed physician designating the applicant as physically handicapped. Said temporary permit shall be issued with an expiration date not to exceed one hundred eighty (180) days from the date of issue and shall be displayed in the front right windshield of any vehicle parked in a designated handicapped parking space.

8. The unauthorized use of a temporary permit shall be punishable by a fine of $100.00.

or act in relation thereto

Commission on
Disabilities
Board of Selectmen

<u>Article 31.</u> To see if the Town will vote to instruct the Board of Assessors to issue a certain amount of money from Free Cash in the Treasury for the reduction of the tax rate;
or act in relation thereto

Board of Selectmen

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 18th day of March, A.D., 1993.

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

William R. Logan, Chairman

Richard E. DeFreitas, Vice Chairman

Peter V. Lawlor, Clerk

Jeffrey A. Brem

Roger A. Blomgren

NOTICE OF PROPOSED DATES AND TIMES FOR CONTINUED SESSIONS OF THE ANNUAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Annual Town Meeting of April 26, 1993:

Thursday, April 29, 1993 at 7:30 p.m.

Monday, May 3, 1993 at 7:30 p.m.

Thursday, May 6, 1993 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meeting is concluded.

Pursuant to General By-Laws Article II, Section 4.10 Notice these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. MARCH 19, 1993

Pursuant to the within notice, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafetorium, Byam School Cafetorium, Westland School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence
Constable

A True Copy Attest, William E. Spence
William E. Spence, Constable

COMMONWEALTH OF MASSACHUSETTS

IIDDLESEX, SS. March 19, 1993

'ursuant to the within warrant, I have notified and warned the
:nhabitants of the Town of Chelmsford by posting up attested
:opies of same at the following places, to wit:
'own Office Building Gym, Harrington School Gymnasium,
larrington School Gymnasium, Westland School Cafetorium, Byam
;chool Cafetorium, Westland School Cafetorium, McCarthy Middle
;chool Small Gymnasium, McCarthy Middle School Gymnasium and
'own Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence,
Constable

, True Copy Attest, William E. Spence
William E. Spence, Constable

WARRANT FOR SPECIAL TOWN MEETING
APRIL 29, 1993
COMMONWEALTH OF MASSACHUSETTS

IIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

reetings:

In the name of the Commonwealth aforesaid, you are hereby requested to otify and warn the Town Meeting Members of said Chelmsford to meet in the cCarthy School Gymnasium on Thursday the twenty-ninth day of April, at 7:30 .m. o'clock in the evening, then and there to act upon the following rticles, VIZ:

rticle 1. To see if the Town will vote to amend the zoning bylaw under rticle II District Regulations Section 2300 Use Regulation Schedule by adding nder Business Uses the following use:

	RA	RB	RC	CA	CB	CC	CD	IA	IS	RMH	CX	P	OS
ood Catering Services:	O	O	O	O	P(4)	P(4)	P(4)	O	O	O	P(4)	O	O

nd further to amend Article V. Definitions by adding the following definition:

ood Catering Services: An establishment which prepares and sells prepared foods o customers for consumption at a location off the premises;

r act in relation thereto.

Board of Selectmen

rticle 2. To see if the Town will vote to transfer and appropriate from vailable funds the sum of $100,000.00 to Line Item 8 Public Safety Personnel ervices; or act in relation thereto.

Board of Selectmen

rticle 3. To see if the Town will vote to transfer and appropriate from vailable funds or transfer and appropriate from the 1991 Transportation Bond ssue as set forth in Chapter 33 of the Acts of 1991, the sum of $479,646.00 for he purpose of Chapter 90 expenditures; or act in relation thereto.

Board of Selectmen

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 13th day of April, 1993.

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

Richard E. DeFreitas, Chairman

Peter V. Lawlor, Vice Chairman

Robert P. Joyce, Clerk

Jeffrey A. Brem

William R. Logan

COMMONWEALTH OF MASSACHUSETTS

APR 14 1993

MIDDLESEX, SS.

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafetorium, Byam School Cafetorium, Westland School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Gymnasium and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence,
Constable

A True Copy Attest, William E. Spence

William E. Spence, Constable

TOWN ELECTION APRIL 6, 1993

*Candidate for Re-election

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
MODERATOR 3 years										
Blanks	117	78	124	106	102	109	101	90	94	921
Dennis E. McHugh*	408	269	394	341	284	466	458	301	281	3202
Write-In	6	0	3	1	0	0	6	1	2	19
Misc	0	0	2	1	1	2	0	2	1	9
TOTAL	531	347	523	449	387	577	565	394	378	4151
SELECTMAN for 3 Years										
Blanks	25	22	28	9	20	32	21	16	19	192
Roger A. Blomgren*	224	117	256	149	173	278	303	182	148	1830
Robert P. Joyce	277	207	237	290	193	267	240	195	211	2117
Write-In	4	0	2	0	1	0	1	1	0	9
Misc	1	1	0	1	0	0	0	0	0	3
TOTAL	531	347	523	449	387	577	565	394	378	4151
SCHOOL COMMITTEE (2) for 3 Years										
Blanks	178	158	218	184	116	168	153	146	145	1466
George E. Ballweg Jr	204	154	211	177	133	187	198	133	146	1543
Mary E. Frantz*	343	172	305	262	245	391	375	253	214	2560
Judith B. Mallette*	336	208	309	271	278	404	402	256	250	2714
Write-In	1	1	2	1	2	3	2	0	1	13
Misc	0	1	1	3	0	1	0	0	0	6
TOTAL	1062	694	1046	898	774	1154	1130	788	756	8302
LIBRARY TRUSTEE (3) for 3 years										
Blanks	523	385	570	481	388	544	510	431	423	4255
D. Lorraine Lambert*	351	246	374	293	257	405	393	268	239	2826
Elizabeth A. McCarthy*	388	195	312	304	264	418	407	255	247	2790
Lynda Reid Warren*	327	215	313	268	252	362	383	227	222	2569
Write-In	3	0	0	0	0	0	1	0	1	5
Misc	1	0	0	1	0	2	1	1	2	8
TOTAL	1593	1041	1569	1347	1161	1731	1695	1182	1134	12453
PLANNING BOARD (2) for 3 years										
Blanks	389	250	402	309	312	405	376	291	305	3039
Thomas E. Firth Jr.*	337	222	319	328	231	367	371	235	226	2636
Eugene E. Gilet*	334	221	322	260	230	382	380	261	223	2613
Write-In	2	0	1	1	1	0	3	1	1	10
Misc	0	1	2	0	0	0	0	0	1	4
TOTAL	1062	694	1046	898	774	1154	1130	788	756	8302

HOUSING AUTHORITY for 5 years										
Blanks	100	48	88	85	81	94	103	77	79	755
Robert L. Hughes*	234	107	230	193	155	302	238	176	138	1773
Daniel J. Sadkowski	197	192	205	170	151	180	223	140	161	1619
Write–In	0	0	0	0	0	0	1	1	0	2
Misc	0	0	0	1	0	1	0	0	0	2
TOTAL	531	347	523	449	387	577	565	394	378	4151
CEMETERY COMMISSION for 3 years										
Blanks	54	28	51	44	59	53	43	30	53	415
James F. Dolan	245	255	327	229	173	306	279	230	146	2190
Charlotte P. DeWolf*	232	64	145	176	154	218	242	133	179	1543
Write–In	0	0	0	0	0	0	1	1	0	2
Misc	0	0	0	0	1	0	0	0	0	1
TOTAL	531	347	523	449	387	577	565	394	378	4151
BOARD OF HEALTH for 3 years										
Blanks	143	112	158	124	124	160	168	111	127	1227
Mark W. Gauthier*	387	235	364	323	261	417	394	281	250	2912
Write–In	1	0	1	0	1	0	2	1	1	7
Misc	0	0	0	2	1	0	1	1	0	5
TOTAL	531	347	523	449	387	577	565	394	378	4151
SEWER COMMISSION (2) for 3 years										
Blanks	437	300	460	350	345	476	463	324	343	3498
Thomas L. Moran	292	180	279	275	218	330	318	220	206	2318
Richard J. Day*	331	214	307	273	210	348	348	244	206	2481
Write–In	2	0	0	0	1	0	1	0	1	5
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1062	694	1046	898	774	1154	1130	788	756	8302

PRECINCT 1 REPRESENTATIVE TOWN MEETING MEMBERS (18)

Blanks	4758
Richard G. Allison	129
Ronald W. Wetmore*	199
Jean B. Rook*	162
Nina S. Lewin	186
Mark W. Gauthier*	206
Marian D. Currier*	225
Kathryn Brough	192
William L. Harvey III	149
William E. Spence*	200
Elizabeth A. McCarthy*	231
Sandra A. Kilburn*	218
Scott J. McCaig*	178
Beyla V. Makovsky*	84
Susan G. Koeckhoven*	174
Frances T. McDougall	150
Fotine Alexis McCarthy*	97
Jocelyn G. T. Anthony*	113
Martha McClure*	139
Michael P. Anthony	129
Richard P. McClure*	116
Joan M. Gauthier*	186
Catherine R. Brown*	149
Robert M. Schneider*	66
Cynthia J. Kaplan*	138
Robert P. Joyce*	227
Paul F. McCarthy*	110
Sandra B. Martinez	142
James P. Good*	148
Philip L. Currier*	231
Karen I. Braunschweiger*	121
Write-In	3
Misc	2
TOTAL	9558

TERM		NAME
1996	231	Elizabeth A. McCarthy*
1996	231	Philip L. Currier*
1996	227	Robert P. Joyce*
1996	225	Marian D. Currier*
1996	218	Sandra A. Kilburn*
1996	206	Mark W. Gauthier*
1995	200	William E. Spence*
1995	199	Ronald W. Wetmore*
1995	192	Kathryn Brough
1995	186	Nina S. Lewin
1995	186	Joan M. Gauthier*
1995	178	Scott J. McCaig*
1994	174	Susan G. Koeckhoven*
1994	162	Jean B. Rook*
1994	150	Frances T. McDougall
1994	149	Catherine R. Brown*
1994	149	William L. Harvey III
1994	148	James P. Good*
	142	Sandra B. Martinez
	139	Martha McClure*
	138	Cynthia J. Kaplan*
	129	Richard G. Allison
	129	Michael P. Anthony
	121	Karen I. Braunschweiger*
	116	Richard P. McClure*
	113	Jocelyn G. T. Anthony*
	110	Paul F. McCarthy*
	97	Fotine Alexis McCarthy*
	84	Beyla V. Makovsky*
	66	Robert M. Schneider*

PRECINCT 2 REPRESENTATIVE TOWN MEETING MEMBERS (18)

Blanks	3334
Patrick Mike Curran	172
Bernard V. Clark	194
William F. Dalton*	133
Francis G. Miskell*	194
Mary Jo Welch*	160
Loretta A. Gelenian*	132
Jeffrey W. Stallard*	164
Linda H. Dalton	130
Marc A. Vandenbulcke*	104
Francis M. Conlin*	111
Bruce J. Harper Sr.*	168
Bonnie I.Foster*	134
Jesse C. Foster*	129
Catherine L. Turley	108
Christopher J. Luppi*	80
George L. Merrill*	174
Harry A. Foster*	162
Barry T. Bell*	144
Richard E. Carkin	165
Stanley W. Norkunas*	152
Write–In	1
Misc	1
TOTAL	6246

		NAME
1996	194	Francis G. Miskell
1996	194	Bernard V. Clark
1996	174	George L. Merrill
1996	172	Patrick Mike Curran
1996	168	Bruce J. Harper Sr.
1996	165	Richard E. Carkin
1995	164	Jeffrey W. Stallard
1995	162	Harry A. Foster
1995	160	Mary Jo Welch
1995	152	Stanley W. Norkunas
1995	144	Barry T. Bell
1995	134	Bonnie I.Foster
1994	133	William F. Dalton
1994	132	Loretta A. Gelenian
1994	130	Linda H. Dalton
1994	129	Jesse C. Foster
1994	111	Francis M. Conlin
1994	108	Catherine L. Turley
	104	Marc A. Vandenbulcke
	80	Christopher J. Luppi

PRECINCT 3 REPRESENTATIVE TOWN MEETING MEMBERS (18)

Blanks	4756
Adrienne M. Jerome*	199
George F. Abely*	257
Thomas E. Moran*	207
Nancy J. Knight	248
Douglas L. Wright*	182
Henry R. McEnany	235
Susan M. Olsen*	257
D. Lorraine Lambert*	315
Harold I. Matzkin*	161
Michael F. McCall*	275
Christine A. Gleason*	259
John P. Emerson Jr.*	235
Christopher T. Garrahan*	158
Robert J. Scharn*	230
Thomas J. Mahanna	158
Thomas J. Welch*	229
Carol W. Merriam	247
Michael F. Curran*	248
Gerard J. Lyons	178
Robert D. Marazzi*	179
Kathryn M. Fisher*	192
Write–In	4
Misc	5
TOTAL	9414

		NAME
1996	315	D. Lorraine Lambert*
1996	275	Michael F. McCall*
1996	259	Christine A. Gleason*
1996	257	Susan M. Olsen*
1996	257	George F. Abely*
?TIE	248	Nancy J. Knight
?TIE	248	Michael F. Curran*
1995	247	Carol W. Merriam
1995	235	John P. Emerson Jr.*
1995	235	Henry R. McEnany
1995	230	Robert J. Scharn*
1995	229	Thomas J. Welch*
1994	207	Thomas E. Moran*
1994	199	Adrienne M. Jerome*
1994	192	Kathryn M. Fisher*
1994	182	Douglas L. Wright*
1994	179	Robert D. Marazzi*
1994	178	Gerard J. Lyons
	161	Harold I. Matzkin*
	158	Christopher T. Garrahan*
	158	Thomas J. Mahanna

PRECINCT 4 REPRESENTATIVE TOWN MEETING MEMBERS (18)

Blanks	4465
William D. Martin	172
Helen A. Manahan*	181
Joel M. Karp*	141
Daniel J. Sullivan III*	190
Linda J. Allen*	175
Henrick R. Johnson Jr.	233
Kay E. Roberts*	177
Kathleen M. Redican	218
Barry B. Balan*	222
Beverly A. Koltookian*	154
Arthur W. Blomgren*	171
John R. Hibbard	184
Jacob P. Sartz III	187
Gerald W. Pacht*	175
John G. O'Sullivan Sr.	181
Thomas E. Firth Jr.	226
Lynn M. Marcella*	218
John G. Coppinger*	210
Carl W. Seidel*	199
Write-In	1
Misc	2
TOTAL	8082

		NAME
1996	233	Henrick R. Johnson Jr.
1996	226	Thomas E. Firth Jr.
1996	222	Barry B. Balan*
1996	218	Kathleen M. Redican
1996	218	Lynn M. Marcella*
1996	210	John G. Coppinger*
1995	199	Carl W. Seidel*
1995	190	Daniel J. Sullivan III*
1995	187	Jacob P. Sartz III
1995	184	John R. Hibbard
1995	181	John G. O'Sullivan Sr.
1995	181	Helen A. Manahan*
1994	177	Kay E. Roberts*
1994	175	Gerald W. Pacht*
1994	175	Linda J. Allen*
1994	172	William D. Martin
1994	171	Arthur W. Blomgren*
1994	154	Beverly A. Koltookian*
	141	Joel M. Karp*

PRECINCT 5 REPRESENTATIVE TOWN MEETING MEMBERS (18)

Blanks	4125
Robert E. Brooks*	171
Glenn R. Thoren*	145
Denise A. Temple	165
Steven J. Temple*	161
Stephen J. Mallette*	184
John W. Wilder	176
Michael N. Sockol	132
Matthew J. Doyle	156
Jonathan A. Stevens*	160
Dean Carmeris*	152
Bonnie G. Wilder	182
Evelyn S. Thoren*	130
W. Allen Thomas Jr.*	155
Barbara H. Ward*	182
Patricia Wojtas*	157
David P. McLaughlin*	142
Kathleen F. Hillman*	147
James M. Creegan*	140
Write–In	1
Misc	3
TOTAL	6966

		NAME
1996	184	Stephen J. Mallette*
1996	182	Barbara H. Ward*
1996	182	Bonnie G. Wilder
1996	176	John W. Wilder
1996	171	Robert E. Brooks*
1996	165	Denise A. Temple
1995	161	Steven J. Temple*
1995	160	Jonathan A. Stevens*
1995	157	Patricia Wojtas*
1995	156	Matthew J. Doyle
1995	155	W. Allen Thomas Jr.*
1995	152	Dean Carmeris*
1994	147	Kathleen F. Hillman*
1994	145	Glenn R. Thoren*
1994	142	David P. McLaughlin*
1994	140	James M. Creegan*
1994	132	Michael N. Sockol
1994	130	Evelyn S. Thoren*

PRECINCT 6 REPRESENTATIVE TOWN MEETING MEMBERS (18)

Blanks	5307
Ruth K. Delaney*	324
Michael R. Parquette*	239
Edward S. Marshall*	212
Steven B. Hadley*	187
Jeffrey A. Brem*	272
Michael R. Donoghue	201
David W. Foner*	112
John W. Carson*	337
Robert L. Hughes*	200
Martin A. Gruber*	226
Arthur J. Moores*	243
Howard J. Hall*	163
Mary E. Frantz*	302
Cheryl M. Warshafsky*	185
Raymond P. McKeon*	272
Margaret A. Johnson*	266
Earl C. Burt*	196
Janet G. Dubner*	264
Ralph M. Nebalski*	168
M. Elizabeth Marshall*	200
Peter V. Lawlor	314
David J. McLachlan*	192
Write-In	0
Misc	4
TOTAL	10386

		NAME
1996	337	John W. Carson*
1996	324	Ruth K. Delaney*
1996	314	Peter V. Lawlor
1996	302	Mary E. Frantz*
1996	272	Jeffrey A. Brem*
1996	272	Raymond P. McKeon*
1995	266	Margaret A. Johnson*
1995	264	Janet G. Dubner*
1995	243	Arthur J. Moores*
1995	239	Michael R. Parquette*
1995	226	Martin A. Gruber*
1995	212	Edward S. Marshall*
1994	201	Michael R. Donoghue
1994	200	M. Elizabeth Marshall*
1994	200	Robert L. Hughes*
1994	196	Earl C. Burt*
1994	192	David J. McLachlan*
1994	187	Steven B. Hadley*
	185	Cheryl M. Warshafsky*
	168	Ralph M. Nebalski*
	163	Howard J. Hall*
	112	David W. Foner*

PRECINCT 7 REPRESENTATIVE TOWN MEETING MEMBERS (18)

Blanks	4977
Thomas E. Mills*	224
Paul F. Gleason*	245
Brian S. Deshaies	228
William F. Tucker*	153
Peter Dulchinos*	232
David A. Carpenter	219
Stephen P. Leo	229
Dwight M. Hayward*	218
Roger A. Blomgren*	266
Kathleen S. Fitzpatrick*	266
Susan J. Gates*	255
Judith Hass*	274
Andrew V. Silinsh*	150
Bradford O. Emerson*	293
Linda G. Morabito*	231
Dennis J. Ready*	342
Leonard W. Doolan III*	220
Edward H. Hilliard*	76
Jonathan C. Stubbs*	171
Carol A. Stark*	193
Francis J. Miethe*	176
Frederick W. Wikander*	251
Bernard A. Ready*	273
Write-In	6
Misc	2
TOTAL	10170

		NAME
1996	342	Dennis J. Ready*
1996	293	Bradford O. Emerson*
1996	274	Judith Hass*
1996	273	Bernard A. Ready*
1996	266	Roger A. Blomgren*
1996	266	Kathleen S. Fitzpatrick*
1995	255	Susan J. Gates*
1995	251	Frederick W. Wikander*
1995	245	Paul F. Gleason*
1995	232	Peter Dulchinos*
1995	231	Linda G. Morabito*
1995	229	Stephen P. Leo
1994	228	Brian S. Deshaies
1994	224	Thomas E. Mills*
1994	220	Leonard W. Doolan III*
1994	219	David A. Carpenter
1994	218	Dwight M. Hayward*
1994	193	Carol A. Stark*
	176	Francis J. Miethe*
	171	Jonathan C. Stubbs*
	153	William F. Tucker*
	150	Andrew V. Silinsh*
	76	Edward H. Hilliard*

PRECINCT 8 REPRESENTATIVE TOWN MEETING MEMBERS (18)

Blanks	4544
Samuel Poulten*	110
Bernice F. Poulten	90
Ralph J. Hulslander Jr.	166
Walter A. Cleven*	207
Alexander W. Gervais*	150
Stuart G. Weisfeldt*	201
Robert P. Mackey	124
Diane Lewis*	118
Marie M. Fitzgerald	152
Doris J. Mahoney*	122
Gail E. Poulten	95
James A. Sousa*	159
William P. Keohane*	150
John E. Abbott	143
Peter G. Johnson*	148
Richard J. Day*	152
Katherine C. Harbison*	130
Shawn M. Kraft*	119
Write-In	8
Misc	4
TOTAL	7092

		NAME
1996	207	Walter A. Cleven*
1996	201	Stuart G. Weisfeldt*
1996	166	Ralph J. Hulslander Jr.
1996	159	James A. Sousa*
1996	152	Richard J. Day*
1996	152	Marie M. Fitzgerald
1995	150	William P. Keohane*
1995	150	Alexander W. Gervais*
1995	148	Peter G. Johnson*
1995	143	John E. Abbott
1995	130	Katherine C. Harbison*
1995	124	Robert P. Mackey
1994	122	Doris J. Mahoney*
1994	119	Shawn M.Kraft*
1994	118	Diane Lewis*
1994	110	Samuel Poulten*
1994	95	Gail E.Poulten
1994	90	Bernice F. Poulten

PRECINCT 9 REPRESENTATIVE TOWN MEETING MEMBERS (18)

Blanks	4162
Alan R. Pajak*	174
Michael E. Bahia	144
C. Thomas Christiano*	139
Allan T. Galpin Jr.*	143
Eleanor D. Abbott	148
Frank R. Peterson*	142
Francis J. Barre	151
Paul J. Tower	126
Alan L. Moyer*	152
Daniel F. Mahoney Jr.	157
Joseph M. Erbacher*	118
John S. Fudge Jr.*	171
Henry T. Emmet*	132
John G. Harrington	167
Phyllis M. Elias*	146
Charles A. Piper*	164
Donald L. Elias *	130
Edward A. Cady*	125
Write–In	7
Misc	6
TOTAL	6804

		NAME
1996	174	Alan R. Pajak*
1996	171	John S. Fudge Jr.*
1996	167	John G. Harrington
1996	164	Charles A. Piper*
1996	157	Daniel F. Mahoney Jr.
1996	152	Alan L. Moyer*
1995	151	Francis J. Barre
1995	148	Eleanor D. Abbott
1995	146	Phyllis M. Elias*
1995	144	Michael E. Bahia
1995	143	Allan T. Galpin Jr.*
1995	142	Frank R. Peterson*
1994	139	C. Thomas Christiano*
1994	132	Henry T. Emmet*
1994	130	Donald L. Elias*
1994	126	Paul J. Tower
1994	125	Edward A. Cady*
1994	118	Joseph M. Erbacher*

ANNUAL TOWN MEETING
APRIL 26, 1993

The Annual Town Meeting was called to order at 7:35 PM at the McCarthy Middle School Gymnasium, by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 155 Representative Town Meeting Members present.

The Moderator then asked for a moment of silence for two former Town Employees who had passed away. Warren C. Lahue who had been a longtime member and Chairman of the Finance Committee died March 22, 1993. Also James F. Dunigan Sr., who had been the Town Highway Superintendent, died April 13, 1993.

Selectman Peter V. Lawlor moved that the reading of the Constable's return of service and posting of the warrant be waived. The Moderator asked for a show of hands, it was so voted unanimously.

Selectman Peter V. Lawlor moved that the reading of the entire warrant be waived. The Moderator asked for a show of hands, it was so voted unanimously.

The Moderator then asked permission from the Body to allow Mary Mahoney, Director of the Library, who is a non resident to speak concerning the Library article. The Moderator asked for a show of hands, it was so voted unanimously.

The Moderator opened the meeting by showing where all the exits were within the gym and briefly explained the procedures used during the meeting, and pointed out the non voting section.

UNDER ARTICLE 1 Selectman Peter V. Lawlor moved to hear reports of the Town Officers and Committees.

The Town Manager Bernard Lynch stated that there were no reports to be heard at this time.

UNDER ARTICLE 2 Selectman Peter V. Lawlor moved that the town vote to instruct its representatives to the General Court to support an amendment to the FY "94 State budget to guarantee that Cities and Towns receive the full $47 million growth in lottery revenues.

Bernard Lynch, Town Manager, explained that this was Legislation filed by the Mass Municipal Association regarding all cities and towns in Massachusetts receiving their full portion of money due from the sale of lottery revenues.

The Board of Selectmen was in favor of the article. The Finance Committee was in favor of the article. The Moderator asked for a show of hands on the motion, motion carried unanimously.

UNDER ARTICLE 3 Selectman Peter V. Lawlor moved that the town vote to instruct its representatives to the General Court to support legislation filed by the Massachusetts

Municipal Association that would establish in state law a Local Roads Fund in order to ensure a fair and predictable share of state gas tax collections for distribution to cities and towns for use on local roads.

Bernard Lynch, Town Manager, explained that this was an amendment to the state budget filed by the Mass Municipal Association.

The Board of Selectmen were in favor of the article. The Finance Committee was in favor of the article. The Moderator asked for a show of hands on the motion, motion carried unanimously.

UNDER ARTICLE 4 Selectman Peter V. Lawlor moved that the town vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land on Mallory Street, shown as Lots 17 and 23 on Assessor's Map 45, containing 4250 and 5000 square feet more or less respectively.

Bernard Lynch, Town Manager, explained that this article as well as articles five and six pertains to Town owned land. Different people have expressed interest in purchasing the land mentioned in these articles. All of the land will be put out for competitive bid. The assessed value of lot 17 is $3,100.00 and for lot 23 $3900.00. The Board of Selectmen was in favor of the article. The Finance Committee was in favor of the article. The Moderator asked for a show of hands on the motion, a 2/3's vote is needed. The following tellers came forward and a hand count was taken:
Dorothy Frawley, Patricia Plank, Lucy Simonian, Jean Horgan.
The result of the hand count Yes 139 No 1 94 is 2/3's the motion carried.

UNDER ARTICLE 5 Selectman Peter V. Lawlor moved that the town vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land on Mallory Street shown as Lot 15 on Assessor's Map 45 containing 5,000 square feet more or less.

Town Manager Bernard Lynch explained the article. The assessed value is $4,048.00. This too will be put out for bid. The Board of Selectmen was in favor of the article. The Finance Committee was in favor of the article. The Moderator asked for a show of hands on the motion, motion carried unanimously.

UNDER ARTICLE 6 Selectman Peter V. Lawlor, moved that the town vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land off Maple Road as set forth in a plan to be filed in the Town Engineer's Office, containing 26,548 square feet more or less and more particularly described as follows:

Beginning at an (I.P.) at the most Easterly point of land of Tech Ridge Inc., abutting the Town of Chelmsford, as shown on M.N.R.D. Book of Plans 89, Plan 102A and thence;

NORTHEASTERLY by land of the Town of Chelmsford, (90.36') to an (I.P.) thence;

By an interior angle, of (65°-13'-30") by land of the Town of Chelmsford, (56.94') to an (I.P.) thence;

By an interior angle, of (265°-54'-50") by land of the Town of Chelmsford, (142.47') to an (I.P.) thence;

By an interior angle of (220°-42'-30') by land of the Town of Chelmsford (140.74') to an (I.P.) thence;

By an interior angle of (103°-17'50") by land of the Town Chelmsford (50.00') to a point thence;

By an interior angle of (105°) (180') to a point thence;

By an interior angle of (89°-55'-05") (330.42') to an (I.P.) and the point of beginning; containing 26,548 square feet of land more or less.

This vote authorizing the Board of Selectmen to convey said parcel is contingent upon a favorable vote of the School Committee pursuant to Chapter 40 Section 15 and further contingent upon the acquisition of an easement for access to remaining Town property by emergency vehicles over said parcel and adjacent land fronting on Maple Avenue.

Town Manager Bernard Lynch explained the article. The estimated value of the land at this time is between $5,000 to $7,000. An actual assessment will be made available for the bidding process. A Question was asked regarding the type of business located near the Byam School and what would the land be used for. The Town Manger said it would be used for future parking which would then enable the business to expand their front portion of their building. The Board of Selectmen was in favor of the article. The Finance Committee was in favor of the article. The Moderator asked for a show of hands on the motion, motion carried unanimously.

UNDER ARTICLE 7 Dennis Ready moved to waive the detail reading of the article. The Moderator asked for a show of hands on the motion. Motion carried, unanimously. William Dalton then came forward and explained the article. This would allow in the event of a layoff that only the actual time accrued while working only in Chelmsford would be counted towards seniority. It doesn't matter where the firefighter lives. He gave an example that if a firefighter who worked for ten years in the Town of Westford was laid off then came to work in Chelmsford for five years, according to

the present Civil Service Law that firefighter would have a total of fifteen years in seniority. If a layoff occurred in Chelmsford and the choice came down to the firefighter with the total Civil Service years of fifteen (ten from Westford and five from Chelmsford) vs the firefighter who only had a total of seven years (all seven years worked in Chelmsford) of Civil Service, then the firefighter with the higher amount of years of service regardless of where they were earned would maintain the position. The union members felt that the firefighter who worked the most number of years in Chelmsford should have the seniority. The total years in Civil Service shouldn't be taken into consideration. It should be the amount of years worked for the Town of Chelmsford as a firefighter. Selectman Lawlor questioned what was the difference between the wording that appears on the warrant vs the wording of this motion. William Dalton explained that this will protect any disable Veteran who applies. This is according to state law that was passed in 1991 and the wording was not included in the original article. A question was asked why this was not part of the wording in contract negotiations. Due to the Civil Service Law being a state law any city or town which accepts the Civil Service Law must abide by it. This would only apply to the Firefighters and not the Police Department. If the Police want the same type of protection then they would have to petition the Legislation and amend the wording to include them. Selectmen Brem moved to reconsideration the motion to waive the reading of the article. The Moderator asked for a vote on the motion to reconsider. Motion carried by a show of hands. The Moderator asked for a vote on the motion to waive the reading of the article. Motion defeated by a show of hands, he then read the article in its entirety. More questions were asked. One issue was the possibility that this would limit the work force to only Chelmsford residents. It didn't matter where a firefighter lived, only the years of service with the Town not the Civil Service system was the issue. Selectmen were in favor of the article. The Finance Committee was not in favor. More discussion took place. William Keohane spoke in favor of the article citing another example of the Civil Service Law process. If a person worked as a clerk typist under Civil Service for five years, then took the firefighter's exam and qualified and became a firefighter and worked for two years in Chelmsford, the following could happen. If a layoff was to take place according to seniority, then that person would be able to add the five years as a clerk typist along with the two years employed as a firefighter and have a total of seven years of seniority. The person who worked for three years as a firefighter in Chelmsford with no other Civil Service would then be laid off. The members of the Firefighter Association want to keep the seniority within their organization. He then moved to amend the article by rewording the title of the Act: Relative to Reduction In Force for Employees of the Fire Force of the Town of Chelmsford. The Moderator asked for a vote on the motion to amend by a show of hands, motion carried. Michael Bahia moved to amend section one of the article by substituting the following after the words "inserting inplace thereof" the following words: and for the purpose of separating of permanent employees from service onsaid fire force, seniority shall be based on length of service by title in the fire force of any city or Town with the Commonwealth of Massachusetts.....subject to the Civil

Service Law Chapter 31, excluding service in any other departmental unit of the Town of Chelmsford, any other Town or city, or the Commonwealth, and shall be reinstated in said fire force according to such seniority. The Moderator asked for the Selectmen's recommendation. The Board of Selectmen did not recommend the motion to amend. The Finance Committee was not in favor of the motion to amend. The Moderator asked for a show of hands on the motion to amend, Motion defeated. The Moderator then asked for a show of hands of the article as amended, motion carried and the article reads as follows:

William F. Dalton moved that the town vote to petition the Great and General Court of the Commonwealth of Massachusetts to amend the following Massachusetts General Laws, pertaining to Civil Service Law Chapter 31, as follows:

AN ACT RELATIVE TO REDUCTION IN FORCE FOR EMPLOYEES OF THE FIRE FORCE OF THE TOWN OF CHELMSFORD.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 1 of chapter 47 of the acts of 1990 is hereby amended by inserting after the words "Notwithstanding the provisions of any general or special law or rule to the contrary," the following words "and subject to paragraph six of section 26 of Chapter 31,"

SECTION 2. said chapter 47 is hereby further amended striking out, in lines three through ten, the words "provided, however, that this section shall apply only to reductions in force resulting in demotions from above the lowest title on such force to the next lowest title or titles in succession and shall not affect the seniority of any employee in service for any other purpose, including , but not limited to ,"and inserting in place thereof the following words: "and for the purposes of separation of permanent employees from service on such fire force, seniority shall be based on length of service by title in the fire force of the town of Chelmsford, excluding service in any other departmental unit of the Town of Chelmsford or any other town or city or the Commonwealth, and shall be reinstated in said fire force according to such seniority."

SECTION 3. This act shall take effect upon its passage.

<u>UNDER ARTICLE 8</u> Evelyn Thoren moved that the town vote to adopt the following resolution relative to the current acting being undertaken by the Chelmsford Public School System to formulate an HIV/AIDS Prevention Program to become an integral part of the Kindergarten through Twelfth Grade curriculum:

WHEREAS the HIV/AIDS virus is acknowledged to be a life-threatening infectious disease and as such, can be accorded objective, academic instruction to inform students as to its nature and danger, and

WHEREAS the HIV/AIDS virus is generally recognized as falling under the category of a social disease, and

WHEREAS the mechanics of actually disseminating the medical facts relating to the infection are subject to the originator's subjective, personal system of moral and ethical values, therefore

BE IT RESOLVED that:

any HIV/AIDS Prevention Program as may be proposed and/or adopted by leadership of the Chelmsford Public School System shall:

1. be implemented as a specific, structured course of instruction, i.e. as opposed to being carried on as a comprehensive program with HIV/AIDS information dispersed throughout the entire curriculum of the Chelmsford School System, and

BE IT FURTHER RESOLVED that:

2. the citizenry of the Town of Chelmsford shall have ready access to a detailed scope and sequence of the program to be offered for its examination and study, and

3. any such program shall not set forth a mandatory requirement for students to successfully complete it as a prerequisite for promotion or final graduation, and finally

4. any such program shall only be attended by students who produce a letter of approval to attend, signed by their respective legal parents (s) or guardian (s) , i.e. a failure to receive such written communication from a parent or guardian shall not be understood to be tacit approval for the student in question to be required to attend;

George Ballweg spoke about the article. He explained that this article is a civil rights issue, not an educational issue. This is being put forth as a non binding resolution by the Concern Citizens of Chelmsford. Parents historically had the right to determine the moral and ethical guidance of their children when it comes to choosing certain programs. A discussion took place. The Board of Selectmen were not in favor of the article, they felt that it infringed on the jurisdiction of the School Committee. The Finance Committee was not in favor of the article. More discussion took place. John Emerson asked if this article passes does the School Committee have any type of obligation to follow it. Town Counsel James Harrington explained that this is a resolution that is non-binding policy. The School Committee is not legally obligated to follow it. Bradford Emerson moved the question to stop debate. The Moderator asked for a show of hands which left the chair in doubt. The tellers came forward and a hand count was taken. The result of the count was: Yes 135 No 5 2/3's is 93 motion carried to stop debate. The Moderator asked for a show of hands on the article, motion defeated.

UNDER ARTICLE 9 Finance Committee member Dwight Hayward, moved that the town vote to amend the General By-Laws Article II Section 2.2 PUBLICATIONS by deleting section 2.2 which reads as follows in its entirety:

2.2 PUBLICATIONS - The warrant article shall be included in the Finance committee report which shall be made available to Town Meeting Members and the public not less than two (2) weeks before either Town Meeting. The warrant articles for any Special Town Meeting shall be made available to the Town Meeting Members not less than fourteen (14) days before the Special Town Meeting.

And add the following Section 2.2:

2.2 PUBLICATIONS - The warrant article shall be included in the Finance Committee report which shall be made available to Town Meeting Members and the public not less than one (1) week before either Annual Town Meeting. The warrant articles for any Special Town Meeting shall be made available to the Town Meeting Members not less than fourteen (14) days before the Special Town Meeting.

Cheryl Boss, Chairman of the Finance Committee, explained that the purpose of this article was to give the Finance Committee more time in order to have all the correct information needed before the book went to press. Right now the Committee must have the book published two weeks prior to the Town Meeting. Sometimes all the information isn't available and when corrections have to be made it looks like found money. The Committee felt that given the extra week of time, a more up to date book would be produced. She went on to explain that once it is published, the book is available at the Town Office Building. The cost for mailing the book out is almost $2.00 per book, which would be an unnecessary expense of $400.00 per year because of the two Town Meetings each year. The Finance Committee meetings and the School Committee meetings are all opened to the public. Any representative can attend these meetings if they feel that more information is needed prior to the publishing of the book. Also rough drafts are made available upon requests, of any budget. The Board of Selectmen were in favor of the article. A discussion took place. A number of representatives spoke against the article. The Moderator asked for a show of hands, the article was defeated.

UNDER ARTICLE 10 Chairman of the Sewer Commission, John P. Emerson moved that the town vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easements in Chelmsford, Massachusetts, Phase IIIA Sewers, prepared for the Chelmsford Sewer Commission by Richard F. Kaminski & Associates, Inc," a copy of which is on file in the office of the Town Engineer and is incorporated herein by references, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto.

Chairman of the Sewer Commission, John P. Emerson Jr., explained that this is a standard article and asked for support. The Selectmen were in favor of the article. The Finance Committee was in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 11 Selectman Peter V. Lawlor, moved that the Town vote to amend the Chelmsford Home Rule Charter Under Part II Legislative Branch/Representative Town Meeting Section 2.5 Vacancies (c) forfeiture of Office by adding the following paragraph:

> Any town meeting member who shall fail to attend more than one-half of the sessions of the town meeting held in a calendar year, may appeal the declaration of vacancy by requesting a hearing on removal. A request for hearing shall be in writing and shall be filed with the Town Clerk on or before January 15th of the following calendar year, A hearing shall be held before a committee consisting of the Town Clerk, Town Moderator and Town Counsel to be held no later that January 25th of said year. Upon the showing of good cause by the member, the committee may excuse one or more absences and may rescind the Declaration of Vacancy provided the Town meeting member has attended at least one-half of the unexcused sessions of the Town Meeting during said calendar year.

Town Counsel James Harrington explained the article. This would allow an representative who is removed from the position due to lack of attendance a chance to appeal. Presently, according to the Charter, a representative must attend more than one half of the meetings held in a calendar year. If there are six meetings held, then representatives must attend four out of six meetings. Rather than allow the remaining representatives in a precinct conduct a hearing and vote on a decision, it was felt that the positions mentioned in the article, were the most non-political. Nothing would be gained or lost by these three people reviewing the appeal. If the representatives were allowed, there is a possibility that a decision wouldn't necessary be a fair one, because the person involved may not be popular among the representatives, or the next person on the reserve list may be more qualified in some opinions. Therefore the Moderator, Town Counsel and the Town Clerk would make the decision. The Board of Selectmen were in favor of the article. The Finance Committee was not. Nobody should make a decision one way or the other. They felt that the representative could always run again at the next election and in reality only be out of office for four months. A discussion took place. A Number of representatives spoke in favor of the article. Catherine Brown submitted a motion to amend which was declared out of order by Town Counsel. William Dalton moved the question to stop debate. The Moderator asked for a show of hands on the motion, motion carried, unanimously. The Moderator then asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 12 The Moderator read the article then feeling that he may have a conflict stepped down as Moderator, and Town Counsel James Harrington presided over

the meeting as the Acting Moderator.

Selectman Peter V. Lawlor moved that the Town vote to amend the Chelmsford Home Rule Charter under Part II Legislative Branch/Representative Town Meeting Section 2.9 Participations by Non-Town Meeting Members Subsection (b) Representatives of Town Agencies by adding the following paragraph:

"Any Elected or appointed Town Official may submit a motion under any warrant article pertaining to matters within their purview".

Chairman of the Board of Selectmen, Richard DeFreitas explained the purpose of the article, and also stated that Selectman Lawlor was making a motion to amend the article on his behalf, which was the point of this whole article. The Acting Moderator read the motion to amend. Any Elected or appointed Board or The Town Manager may submit ..... He went on and explained that it could be possible that at some point a board or committee may not have a member who also is a representative town meeting member, therefore that board would not be able to submit any motions on their behalf. A Discussion followed. It was asked why this was not addressed in the Charter. The intent was to keep the separation of executive and legislation powers. The Finance Committee was not in favor of the motion or the article. The Board of Selectmen were in favor. More discussion took place. Barry Balan moved the question to stop debate. The Acting Moderator asked for a show of hands, motion carried, unanimously. The Acting Moderator asked for a show of hands on the main motion, motion defeated.

Moderator Dennis McHugh returned to the podium and presided over the meeting.

UNDER ARTICLE 13 Selectman Peter V. Lawlor moved that the Town vote to accept the provisions of Section 48 of Chapter 399 of the Acts of 1992, an Act concerning Early Retirement Incentive.

Town Manager Bernard Lynch explained that is a piece of state legislation that is being used throughout the state. It had been previously approved last October by the representatives, however, at that time the Middlesex County Retirement System was deemed not in full compliance with the law. This will be a cost savings for the Town. It will reduce the total personnel and fill certain needed positions with a less expensive employee. It will also make way for the reorganization of departments.

The Board of Selectmen were in favor of the article. The Finance Committee was in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 14 Kathleen moved to postpone this article to Thursday April 29, 1993, and be the first article of business, after the posted special. Susan Olsen moved to adjourn the meeting until Thursday. She explained that she felt that the discussion may go over the 11:00 PM curfew. Tom Moran spoke against the motion to adjourn. He felt that

LAW OFFICE OF
JAMES M. HARRINGTON
Attorney at Law

JAMES M. HARRINGTON
TONI-LYNNE RAFANELLI
VICTOR MANOUGIAN*

*ALSO ADMITTED IN NH

4 COURTHOUSE LANE
BUILDING A
CHELMSFORD, MA 01824

TELEPHONE (508) 458-4501

May 13, 1993

Mary St. Hilaire, Town Clerk
Town of Chelmsford
50 Billerica Rd.
Chelmsford, MA 01824

Re: Fall Annual Town Meeting 1992

Dear Mary:

Upon review of the proceedings of Town Meeting under Article 13 relative to acceptance of Chapter 399 of the Acts of 1992 it is my opinion that the legislation was properly accepted.

Kindly revise your minutes to reflect the acceptance of Chapter 399 as opposed to Chapter 133 and send the revised minutes to the Retirement Board for processing of the early retirements. (Article 13)

Thank you for your assistance in this matter.

Very truly yours,

James M. Harrington

JMH:ph

the article shouldn't be postpone until another night, and he did not want to adjourn the meeting at this time as he felt that the article should be heard. John Coppinger stated that there has been enough discussion in the past on the subject of beavers and he wanted to vote on the article tonight. The Selectmen were in favor of continuing the meeting. The Finance Committee supported the Selectmen on wanting to continue the meeting. The Moderator asked for a show of hands on the motion to adjourn. Motion defeated. The Moderator asked for a show of hands on the motion to postpone the article. Adrienne Jerome spoke in favor of postponing the article. She explained that a Representative from the Friends of the Animals Association would be flying in Thursday night and be available at that time to answer any and all questions. Brad Emerson moved the question. The Moderator asked for a show of hands on stopping debate. The Chair was in doubt, the tellers came forward and conducted a hand count: Yes 131 No 1 2/3's is 88, motion carried.

Kathleen Hillman moved that the Town vote to amend the General Bylaws Article VI Police Regulations by adding the following:

Section 22 Prohibition of Trapping by means of the Leghold and conibear trap on private and public Lands without the written permission of the Property owner.

1. It shall be prohibited and unlawful for any person to set, trigger, activate, or otherwise cause to be set, triggered, activated or use any type or modification of any steel jawed leghold trap including the soft catch trapping system, or any form of jaw trap or conibear trap, for the capture of any animal without the written permission of the property property owener carried on the trapper's person. This written permission is to be renewed yearly. Public lands would require the written permission of the department head who oversees said land.

2. The definition set forth in general law chapter 131, section 1 of "to Trap", as said act applies to fur bearing mammals, are incorporated herewith.

3. The Police Department and or animal control officer of Chelmsford, shall be authorized to enforce this by-law pursuant to article 1 of Town of Chelmsford General by-laws.

4. The Fine for each violation of this section shall be three hundred dollars ($300.00), with each violation constituting a separate offense. Said violations shall be punishable as provided in article 1 of Town of Chelmsford by-laws.

Kathleen Hillman explained the article. She explained that this a property rights not an animal rights by-law. This would allow her to say no trapping is allowed on her property, unless the trapper has written permission. Presently any trapper is allowed to trap on any land that is not posted during the trapping season of November to February. A discussion took place. Adrienne Jerome, Thomas Christiano and Eleanor Abbott spoke in favor of the article and jointly answered questions from the Body. A number of

Representatives spoke against the article. Even though the proponents said it was a property right, the Representatives questioned why a person from the Friends of the Animals was willing to come before them and speak about the issue. It was asked if there were any reports of trappers causing damage or accidents with the trapping. No statics could be given. It was stated that if any type of by-law is passed then the trappers will not come to Chelmsford and the beaver population will return. The Moderator asked for the Selectmen's recommendation. The Board of Selectmen were in favor of the motion. The Finance Committee was not in favor of the motion. Kathleen Hillman moved to amend the article by decreasing the fine of $300.00 to read $100.00. The Selectmen were in favor of the motion to amend. The Finance Committee had no recommendation. The Moderator asked for a show of hands on the motion to amend. Motion carried. Dennis Ready moved the question to stop debate. Motion carried, unanimously. The Moderator asked for a show of hands on the main motion as amended, motion defeated.

Michael McCall moved to adjourn the meeting until Thursday night April 29, 1993, at the McCarthy Middle School Gymnasium. The meeting will continue after the conclusion of the posted Special Town Meeting. The Moderator asked for a show of hands, motion carried, unanimously. The meeting adjourned at 11:20 PM.

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Dennis E. McHugh, Moderator	Mary E.St.Hilaire, Town Clerk

SPECIAL TOWN MEETING
APRIL 29, 1993

The Moderator Dennis E. McHugh, called the Special Town Meeting to order at 7:44 PM. At the McCarthy Middle School Gymnasium. He recognized the presence of a quorum. There were 149 Town Meeting Representatives present.

The Moderator pointed out the exits located within the Gym, and went over the procedures of Town Meeting.

Selectman Peter Lawlor moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously by a show of hands. Selectman Peter Lawlor moved that the reading of the entire warrant be waived. It was so voted, unanimously, by a show of hands.

The Moderator made an announcement that Thursday May 6, 1993 was the Annual Student Government Day at Chelmsford High. The Students were here tonight and he read the list of students and their positions.

Selectman	Edward Kalpas Andrea Polychrones Karen Ready Tracy Sullivan Kenneth MacPhail, Chairperson
Town Manger	Eric Karr
Town Clerk	Amy Shattuck
School Committee	Kathleen Ahern Shirazeh Tabibi Lee Ablove Mark Perriello, Chairman
Supt of Schools	Djwan Scott
Housing Authority	Matthew Metivier
Sewer Commission	Jeff Metivier Aaron Robinson Keith MacPhail
Planning Board	Colleen Gleason Kerry MacDonald Katrina Often
Board of Health	Joseph Balan Erin Littlefield Jaimie Russo
Cemetery Commission	Desiree Elias Marny White Tim McMaster
Cemetery Supt	Greg Marcks
Library Trustee	Kristen Kidder

	Julie Waszack
Treasurer/Tax Coll Finance Director	Kate Peterson
Board of Assessors	Mike Phillips Andy Rubenstein Chris Sanford
Town Accountant	Joe Lemay
Finance Committee	Kevin Scanlon Matthew Amerson Elizabeth Parker
Police Chief	Ryan Hirt
Deputy Police Chief	Jeff Saviano
Fire Chief	Jennifer Pattison
Deputy Fire Chief	Jen Durkin
DPW Dir Town Engin.	Jeremy Quimby
Supt of Streets	John Pollard
Building Inspector	Lindsay Wells
Wiring Inspector	Brian McCoy
Town Constable	Chris Parke
Town Moderator	Steven Moore
Council on Aging	Jeremy Davis
Veteran's Agent	Steph Wagemaker
State Representative	Christina Egan
State Senator	Aaron Bates

The Town Meeting body greeted the students with a round of applause.

UNDER ARTICLE 1 Selectman Robert Joyce moved that the Town vote to amend the zoning by-law under article II District Regulations Section 2300 Use Regulation Schedule by adding under Business Uses the following use:

	RA	RB	RC	CA	CB	CC	CD	IA	IS	RMH	CX	P	OS
Food Catering Ser	0	0	0	0	P(4)	P(4)	P(4)	0	0	0	P(4)	0	0

and further to amend Article V. Definitions by adding the following definition:
Food Catering Services: An establishment which prepares and sells prepared foods to customers in bulk to serve a minimum of 20 people for consumption at a location off the premises.

Town Manager Bernard Lynch explained that the Old Town Hall is a building that the town leases space to businesses. He cited the annual cost for maintaining the building is why

he felt that the catering service would be an asset as a tenant and that is why he wanted the CX zone amended to allow catering service, this would help make the building self sufficient. However, after talking with the proposed caterer it was decided that the amount required for rent could not be met. As a result the motion to rezone the site will be withdrawn. Selectman Robert P. Joyce moved to withdraw the article. The Board of Selectmen were in favor of the motion. The Finance Committee was in favor. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 2 Selectman Robert P. Joyce, moved that the Town vote to transfer and appropriate from Debt and Interest Line Item 33 of the FY93 Budget the sum of $100,000.00 to Line Item 8 Public Safety Personnel Services.

Town Manager Lynch explained the article. This had been slated for the October Meeting last year, in order to fund the Fire Contract. The article was withdrawn with the idea that the Department would not need the money. A number of items have since come up therefore the money is still needed to avoid a shortfall in the budget. The Selectmen were in favor of the motion. The Finance Committee supported the motion with the understanding that the Town is not anticipating any borrowing between now and the new year. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 3 Selectman Robert P. Joyce moved that the Town vote to transfer and appropriate from the 1991 Transportation Bond Issue as set forth in Chapter 33 of the Acts of 1991, the sum of $479.646.00 for the purpose of Chapter 90 Expenditures.

Town Manger Bernard Lynch explained that this is a requirement by the State in order to receive monies for Chapter 90 projects in FY94.

The Board of Selectmen recommended the article. The Finance Committee recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

Seeing that there was no other business at hand the Moderator declared the Special Town Meeting closed at 7:56 PM and moved immediately back into the annual.

The Moderator opened the Adjourned Annual Town Meeting at 7:57 PM. He announce that Cheryl Boss who was the Chairman of the Finance Committee will be leaving the committee after eleven years of service, and thanked her for her work. The Body gave her a round of applause.

UNDER ARTICLE 15 Library Trustee D. Lorraine Lambert moved that the Town vote to authorize the Board of Selectmen to sell pursuant to the provisions of Massachusetts General Laws Chapter 30B a painting known as "Amos Adams", and further to designate and restrict the use of any funds received from said sale to Public Library Building Needs.

Library Trustee Member Elizabeth McCarthy explained the history of the painting and what the trustees hoped to do

with the proceeds obtained from the sale of the painting. The money would go into a separate fund for the Library Building Needs. The Trustees felt that they would be taking a cultural aspect of the Town and transferring it to another cultural aspect to be used by the Town.

The Board of Selectman recommended the article. The Finance Committee recommended the article. A question was asked concerning the painting decreasing or increasing in value. Elizabeth McCarthy said that the value has dropped since first appraised in 1985. Bernard Ready spoke against the motion. Mike Sockol spoke in favor of the article. The proceeds will be of greater use then the picture itself. Jeff Stallard moved to amend the article by adding: A condition of the sale shall be that a copy of the "Adams" Painting be made at or prior to the time of sale. The Board of Selectmen had no recommendation on the motion. The Finance Committee felt that an amendment was not needed. The Moderator asked for a show of hands on the motion to amend. Motion defeated. He then asked for a show of hands on the main motion, motion carried.

UNDER ARTICLE 16 Library Trustee D. Lorraine Lambert moved that the Town vote to transfer and appropriate the sum of $41,671.00 from the Library Endowment Funds, transfer and appropriate the sum of $37,075.00 from the Sale of Town Owned Land, and borrow the sum of $281,254.00 for a total appropriation of $360,000.00 and to authorize the Town Manager to negotiate the purchase price of the real property with the approval of the Board of Selectmen for the purpose of purchasing real property consisting of land with buildings thereon located at 10 Bartlett Street, Chelmsford, Massachusetts for Public Library purposes.

Library Trustee D. Lorraine Lambert explained the motion. She gave a history of the land in question. The Town had a opportunity to purchase this land in the past and was turned down by the Town Meeting Body. This would be used for the possibility of future expansion. Both the Library Trustees and the Site Committee agree that this is the best location. There is 1.44 of an acre involved, the Board is hoping to purchase two other parcels of land which would allow for the parking of one hundred cars. The assessed value of the land is $420,000.00. She asked for support of the article. Questions were asked about the site. Also if the Town decided to build at another site would the representatives have the chance to vote to do so or is the Town locked into this site? The Town Manager explained that wherever the site would be the Town Meeting Body would have to vote for the funding of the construction. Could the land be taken by eminent domain, if the seller didn't want to sell the property at the appraised price. That avenue would be explored if need be. What would happen to the "Pink House". The Town Manager explained that presently there is no buyer in mind for any of the houses on the site, but the houses would be moved if possible. The Moderator asked for the Board of Selectmen's recommendation. The Board of Selectmen were in favor of the article. The Finance Committee was in favor. The Moderator asked for a show of hands on the article. Motion carried, unanimously.

UNDER ARTICLE 17 Selectman Peter V. Lawlor moved that

the Town vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to enter into compensatory balance agreements, during Fiscal Year 1994, as permitted by General Laws Chapter 44, Section 53F.

Town Manager Bernard Lynch explained that this is to allow the Town Treasurer to make arrangements to deposit the Town's money into certain banks in return for services. The Board of Selectmen were in favor of the article. The Finance Committee was in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 18 Selectman Peter V. Lawlor moved that the Town vote to transfer the sum of $18,000.00 from the sale of the Graves and Lots to Cemetery Improvement and Development Fund.

Town Manager Bernard Lynch explained that this is a annual part of the Budget. The Board of Selectmen were in favor of the article. The Finance Committee supported the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 19 Selectman Peter V. Lawlor moved dismiss the article.

Town Manager Bernard Lynch explained that there were no late bills. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 20 Samuel Poulten moved that the Town vote to accept the provisions of Section 12 of Chapter 188 of the Acts of 1985, the School Improvement Act, in relation to the Equal Educational Opportunity Grant in the amount of $17,207.00 for the Nashoba Valley Technical High School for the 1993-94 School Year.

Samuel Poulten explained that this is a necessary item. The five other towns involved must also vote the same article. This maybe the last time, the Town has been voting on this since 1985. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 21 Sewer Commission Chairman, John P. Emerson Jr., moved that the Town vote to transfer a sum of $1,000,000.00 from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 1994 budget.

Sewer Commission Chairman, John P. Emerson explained the article. This is the third time that the Town has voted for this, its an annual item. The Board of Selectmen recommended the article. The Finance Committee recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 22 Selectman Peter V. Lawlor moved that the Town vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 53D "Recreation and Park Self-Supporting Service Revolving Funds"

Town Manager Bernard Lynch explained that this would allow the Recreation Department to be self sufficient. The Board of Selectmen recommended the article. The Finance Committee recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 23 Conservation Member, David McLachlan moved that the Town vote to transfer the sum of $2,500.00 from Conservation fees under wetlands Special Reserve Fund to reduce the Conservation Commission Budget Fiscal Year 1994.

The Town Manger Bernard Lynch explained that this would enable the Conservation Commission to reduce their FY94 budget by $2,500.00 and put the monies towards Reservation Management. The Board of Selectmen were in favor of the article. The Finance Committee was in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 24 Selectman Peter V. Lawlor moved that the Town vote to raise and appropriate, the sum of $21,500.00 to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford.

The Town Manager explained that because the Town receives alot of federal money it is required that an audit be done. The Town also includes all the Town budgets and this is done on a yearly basis. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 25 Selectman Peter V. Lawlor moved that the Town vote to raise and appropriate the sum of $20,000.00 for the purpose of funding the sand lease approved by the Town under Article 12 of the 1989 Annual Town Meeting.

The Town Manager explained that this is a yearly article. The Town has a ten year lease for the cost of sand. The price is half the cost of the market price. The Board of Selectmen were in favor of the article. The Finance Committee was in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

Michale Sokol asked to take articles 27, 29, and 30 out of order and then return to article 26 which is the budget. This would allow more time to be spent on the budget. The Board of Selectmen recommended the motion. The Finance Committtee was not in favor of taking any articles out of order. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 27 Town Manager Bernard Lynch moved that the Town vote to raise and appropriate, the sum of$12,500.00 for the purpose of providing Senior Citizen Real Estate Tax Payment Vouchers for services rendered, pursuant to an agreement to be formulated by the Council on Aging and approved by the Town Manager.

Town Manger Bernard Lynch explained that this was a program started last year that was successful. A lot of

Senior Citizens took advantage of working for the Town and putting the money earned towards their taxes. However, the activity was not as high as anticipated, therefore not as much money is being requested for this year. The Board of Selectmen were in favor of the article. The Finance Committee recommend the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 29 Finance Committee Member Dwight Hayward moved that the Town vote to raise and appropriate, the sum of $150,000.00 to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws, Chapter 40, Section 6.

Chairman of the Finance Committee Cheryl Boss explained that this is money that is put aside and used for non-anticipated emergency items. The Board of Selectmen recommended the article. The Finance Committee recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 30 John Emerson moved that the reading of the article be waived. The Moderator asked for a show of hands, motion carried, unanimously. Town Manager Bernard Lynch explained the article. There are three items that are changed from the current by-law. A fine of $100.00 will be charged for unauthorized parking in a handicap spot. This fine is in accordance with state statute. The permit is to be issued for 180 days where presently the by-law reads sixty days. The final change is that the unauthorized use of the permit will be a fine of $100.00 which is an increase of $50.00. A discussion took place. Some Representatives felt that the Fine of $100.00 for parking in a handicap space was high. What could be done if in fact a ticket was issued and there was a legitimate reason. Police Chief Raymond McKeon came forth and explained that there was a hearing process in which a person could protest a ticket. If the reason was accepted then the fine would be waived. The Board of Selectmen were in favor of the article. The Finance Committee was in favor of the article. Harry Foster moved to amend the article to reflect a lower fine for parking in a handicap space. Amend the dollar amount from $15.00 (current amount) to $50.00. He felt that this was a fair amount. The Board of Selectmen were not in favor of the motion to amend. The Finance Committee was not in favor of the motion to amend. A number of Representatives spoke in favor of leaving the amount as original presented with the figure of $100.00. The Moderator asked for a show of hands on the motion to amend. Motion defeated. He then asked for a show of hands on the main motion, motion carried. The article reads as follows:

Selectman Peter V. Lawlor moved that the Town vote to amend the General By-laws Article VI Section 20 Prohibition on Unauthorized Parking in Designated Handicapped Parking Spaces in private or Public Ways by deleting paragraphs 2,7, and 8 which read as follows in their entirety:

2. A fine of $15.00 shall be imposed for the unauthorized parking of a motor vehicle in a space reserved and designated for use by vehicles of handicapped persons, pursuant to the authority of

Chapter 90, Section 20C of the Massachusetts General Laws.

7. Any motor vehicle bearing a handicapped parking permit or motor vehicle registration plate designating the vehicle as one used by a handicapped person shall be authorized to park in a designated handicapped parking space. The Chief of Police, his designee, or the Town Clerk may issue a temporary handicapped Parking Permit to any person upon application with supporting medical affidavit signed by a licensed physician designating the applicant as physically handicapped. Said temporary permit shall be issued with an expiration date not to exceed sixty (60) days from the date of issue and shall be displayed in front right windshield of any vehicle parked in a designated handicapped parking space.

8. The unauthorized use of a temporary permit shall be punishable by a fine of $50.00.

and add the following paragraphs 2,7, and 8:

2. A fine of $100.00 shall be imposed for the unauthorized parking of a motor vehicle in a space reserved and designated for use by vehicles of handicapped persons, pursuant to the authority of Chapter 40, Section 21 of the Massachusetts General Laws.

7. Any motor vehicle bearing a handicapped parking permit or motor vehicle registration plate designating the vehicle as one used by a handicapped person shall be authorized to park in a designated handicapped parking space. The Chief of Police, his designee, or the Town Clerk may issue a temporary handicapped Parking Permit to any person upon application with supporting medical affidavit signed by a licensed physician designating the applicant as physically handicapped. Said temporary permit shall be issued with an expiration date not to exceed one hundred eighty (180) days from the date of issue and shall be displayed in front right windshield of any vehicle parked in a designated handicapped parking space.

8. The unauthorized use of a temporary permit shall be punishable by a fine of $100.00.

UNDER ARTICLE 26 Town Manager Bernard Lynch moved that the Town vote to raise and appropriate such sums of money as may be required to defray Town charges for the fiscal period July 1, 1993 to June 30, 1994.

Town Manager Bernard Lynch gave an explanation of the budget and showed a chart which reflected the spending trends over the years. While other Towns are going through the problems of having to downsize their services, Chelmsford is starting to rightsize it's services. One of the plans was to strive to provide the same level of service that was in 1990, beginning with the public safety area. He was working

towards the re-opening of the West Fire station. Some of the areas like Community service is still down by 5% from the 1990 figures. He talked about the projected revenue increases which will be used for funding. The Debt and Interest Area is decreasing this year. The miscellaneous receipts are level this year, however, the excise revenue is down. He then went through the budget and addressed areas that showed increases and decreases and explained the highlights. He started with the Municipal Administration. He explained that increases in the personnel service was due to additional staffing in order to comply with the charter, or to bring a department if there was a justifiable need closer to what it had in 1990. This was the case in his office and the Town Clerk's. He went on to the Educational Area. Chelmsford's share of the Nashoba Technical High School budget increased. The Chelmsford School Department is increasing $903,000.00 which is a 4% increase. He felt that additional State Aid will become available, if not then the School Committee will have to make decisions, and possibly come back to this body in the future requesting more money. Under Public Safety he indicated re-opening the West Fire Station and that the Police Budget does not include any raise for the Patrolman's union which is still under negotiations. David Carpenter questioned the concerns that the Finance Committee had about the availability of funds for re-opening the West Fire Station. The Town Manager explained it would require eight firefighters to staff the station and that there is $200,000.00 in the budget which will be more than enough to cover the cost. Due to the early retirement program and additional staffing of the West Station, fifteen newly hired people will start at the lowest rate on the scale. When asked the time frame for the re-opening, he said hopefully by late summer. The Department of Public Works expenses include Chelmsford's share of the cost of the Duck Island Sewage Treatment Plant. The Sewer Commission needed more money to defray the cost of legal fees and engineering fees for the Phase III of the Sewer Program. The Library increase reflects additional hours and staffing for the library, and the union negotiations are still going on. The Board of Health increases are due to salary costs mainly for the increase of hours for the Nurse. This is due to lead paint and aid awareness programs that are required under state statute. Also the expenses changed due to the Inspectors using a fleet of vehicles that are now available instead of their own vehicles, therefore no more mileage will be paid. He projected an 10% increase in the employee benefits due to the early retirement initiative. The Non Exempt Debt is lower due to the paying off of the Cranberry Bog bond and the 1987 Capital Planning Bond. The Snow and Ice Account is overdrawn by $150,000.00, the last storm caused the budget to go out of balance by $80,000.00. After the State sends out the cherry sheet figures an adjustment may have to be made to this account at the October meeting. He felt that this was a fair budget and offered to answer any questions from the floor. George Merrill questioned why his taxes have increased continuously since 1988. It was explained that due to the number of overrides and sewerage bonds and the cutback in state aid has made it necessary for the property taxes to be increased to cover the additional costs over the budget voted in a given year. John Coppinger questioned the employees contracts. He wanted to know if the Town was at the point that the contracts can be funded

without causing cuts in service or personnel of a particular budget. The Town Manager explained that if the money is not in the department's budget then the Department will have to come back to the Town Meeting and ask for more money, or an over-ride vote may be required. Edward Cady questioned if a department's budget was not voted would the personnel be cut in order to fund the increase in order to comply with a contract. The Town Manager explained that negotiations would have to be done all over again. If the funding is based on the result of the Town Meeting vote, or an override vote, and doesn't pass, then there is an obligation to continue on with negotiations, until an agreement is met. David McLachlan questioned under the Revenues, how much in tax dollars is the Town delinquent in collecting, compared to one year ago? Fred Mansfield the Finance Director/Tax Collector explained that the collections stayed basically the same from 1990 to 1993. Collections are about 97% complete at this current time, which reflects a one point four million delinquent. Also the Town Manager explained that Chelmsford's share of state aid is down by four million. This is why the property taxes have been having a steady increase in order to provide the same level of services. The Moderator asked if there were further questions. Hearing none he went on to explain that he was going to proceed through each of the shaded areas in the Finance Book and read the subtotal and total for each section then ask for any questions or discussion under the these areas. Barry Balan questioned if he could move the entire budget at this point. The Moderator explained that in order to avoid going through each line item, he would have to move the question, which would stop any further debate or discussion from taking place under this article. Therefore, Barry Balan moved the question. The Moderator again explained that no further questions would be allowed. The only questions that now could be asked were procedural ones questioning the motion to stop debate. He asked if there were any questions about stopping debate, hearing none he asked for a show of hands on the motion. This left the Chair in doubt, he asked for the following tellers to come forward and conduct an hand count:
Dororthy Frawley, Patricia Plank, Lucy Simonian, Jean Horgan. The result was Yes 106 No 31 2/3's is 92, the motion carried. He then read the motion which included the figure needed to be raised and appropriated, and asked for a show of hands, motion carried. The budget reads as follows:

(note see the discussion prior to article 28 concerning the Finance Committee's recommendation)

Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $45,996,159.00 to defray Town charges for the fiscal period July 1, 1993 to June 30, 1994.

MUNICIPAL ADMINISTRATION	
1. Personnel Services	935,272
2. Expenses	354,269
3. Out-Of-State	4,500
4. Outlay	5,500
5. Legal Services	25,000
TOTAL	$ 1,324,541

EDUCATION	
CHELMSFORD SCHOOL DEPARTMENT	
6. Total Budget	23,961,222
NASHOBA VALLEY TECH HIGH SCHOOL	
7. Total Budget	490,129
PUBLIC SAFETY	
8. Personnel Services	5,410,326
9. Expense	413,205
10. Out of State	3,600
11. Outlay	25,500
TOTAL	5,852,631
DEPARTMENT OF PUBLIC WORKS	
12. Personnel Services	990,392
13. Expense	2,604,622
14. Out of State	1,500
15. Outlay	0
16. Snow and Ice	350,000
TOTAL	3,946,514
SEWER COMMISSION	
17. Expense	60,000
18. Out of State	0
TOTAL	60,000
CEMETERY COMMISSION	
19. Personnel Services	157,093
20. Expense	1,050
21. Out-Of-State	500
22. Outlay	4,000
TOTAL	162,643
COMMUNITY SERVICES	
23. Personnel Services	293,956
24. Expense	134,876
TOTAL	428,832
LIBRARY	
25. Personnel Services	511,329
26. Expense	181,733
27. Out-Of-State	0
28. Outlay	0
TOTAL	693,072
UNDISTRIBUTED EXPENSES	
29. Total Budget	4,554,373
DEBT AND INTEREST	
30. Principal	4,020,000
31. Interest	1,989,671
TOTAL	6,009,671

TOTAL OPERATING BUDGET		$47,483,628
Reduced by:		
Sewer Offset Receipts	-	484,969
Art 21 Sewer Betterments	-	1,000,000
Art 23 Conservation fees	-	2,500
TOTAL RAISE AND APPROPRIATE		$45,996,159

Samuel Poulten asked for a point of order. He wanted to know if there was any procedure for the recording of abstained voting during a required vote. He felt that it was obvious when a show of hands is asked that many representatives do not vote either way. The Moderator explained that there are three ways required when taking a vote under a motion. One is a majority, One is a 2'3's which would required a hand count if necessary, and the last is a roll call vote, which is where the abstention could be recorded.

The Moderator then read article 28, and was informed by Town Counsel of a procedural point of order required for article 26. He must ask the Finance Committee for their recommendation on the total budget figure of $45,996,159.00. Cheryl Boss Chairman of the Finance Committee said that the Finance Committee recommended the figure.

UNDER ARTICLE 28 Town Manager Bernard Lynch explained the Capital Budget article. The Board of Selectmen and the Finance Committee recommended the article. The Moderator asked for a show of hands, motion carried, unanimously. The article reads as follows:

Selectman Peter V. Lawlor moved that the Town vote to appropriate the sum of $1,092,000.00 for the following capital projects.

DEPARTMENT	ITEM	BUDGET
Library	McKay Handicap	10,000
School	Furniture	24,000
	CHS Lockers	15,000
	A/V - Computer	22,000
	Byam Roof	200,000
	CHS Exit Doors	75,000
	McCarthy Lockers	15,000
	Lav Repair	10,000
	HVAC Repair	20,000
	Int. Painting	32,000
Data Processing	Equipment	100,000
DPW	Sidewalk Plow	53,000
	Road Maint	200,000
	Sidewalk	100,000
	Truck w/Sander	60,000
	Vehicles	42,000
Fire Department	Eng 1 Roof	15,000
	Eng 3 Generator	15,000
Police	Cruisers (4)	64,000
	Furnace	10,000
	Facility Study	10,000

$1,092,000

and to transfer the sum of $31,909.35 from unexpended bond proceeds under Article 8 of the 1990 Annual Town Meeting, transfer the sum of $16,830.57 from Article 9 of the 1991 Annual Town Meeting, transfer the sum of $7,514.76 from Article 16 of the 1992 Annual Town Meeting and borrow the sum of $1,035,744.40 to fund these obligations.

Mary Frantz, member of the School Committee moved for reconsideration of article 26. The figure under the School Department's budget was the Town Manager's figure and not the figure that the School Committee wanted. She felt that the School Committee should have a chance to present their requested figure. The Board of Selectmen were in favor of reconsidering the article. The Finance Committee felt that the School Committee should be heard. The Moderator asked for a show of hands on the motion to reconsider, which left the chair in doubt. The tellers came forward and an hand count was taken Yes 64 No 67, the motion was defeated.

UNDER ARTICLE 31 Selectman Peter Lawlor moved to see if the Town will vote to instruct the Board of Assessors to issue the sum of $167,072.00 from Free Cash in the Treasury for the reduction of the tax rate.

The Board of Selectmen were in favor of the article. The Finance Committee was in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

Before the Moderator adjourned the meeting, he made an announcement to the Body that Myra Silver who had been a member of the Finance Committee for many years is also leaving the Finance Committee and he thanked her for all of her work.

Seeing that there was no further business at hand, the Moderator declared the meeting closed. The meeting adjourned at 10:20 PM.

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Dennis E. McHugh, Moderator	Mary E.St.Hilaire, Town Clerk

WARRANT FOR
THE FALL ANNUAL TOWN MEETING
OCTOBER 18, 1993
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the constable, or any other suitable person of the Town of Chelmsford:

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the town meeting representatives of said Chelmsford to meet in the McCarthy School Auditorium on Monday, the eighteenth day of October, at 7:30 p.m. o'clock in the evening, then and there to act upon the following articles, VIZ:

Article 1.

To hear reports of the Town Officers and Committees; or act in relation thereto.

Board of Selectmen

Article 2.

To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money with which to meet bills from previous years; or act in relation thereto.

Town Manager

Article 3.

To see if the Town will vote to raise and appropriate or transfer and appropriate a certain sum of money in accordance with the Education Reform Act of 1993 to amend the FY94 Budget by increasing Line Item 6, School Department; or act in relatio thereto.

Town Manager

Article 4.

To see if the Town will vote to raise and appropriate or transfer and appropriate the sum of $9,513.00 to amend the FY94 Budget by increasing Line Item 7, Nashoba Valley Technical High School to comply with the Town of Chelmsford's Minimum Contribution Level as set forth by the Education Reform Act for school districts in the Commonwealth; or act in relation thereto.

Town Manager

Article 5.

To see if the Town will vote to amend the existing Town of Chelmsford Zoning Map by removing the following described property on Chelmsford Street and Watt Terrace from Neighborhood Commercial District (CA) and placing all of said property in a Shopping Center District (CC):

PARCEL I

The property described in a deed to David E. Merrill dated July 3rd, 1968 and recorded at the Middlesex North District Registry of Deeds at Book 1849 Page 639. Said property, according to the above-described deed, contains 24,825 square feet.

The property is also identified as 285-287 Chelmsford Street and shown as Map 112, Lots 13, 14, 16 on the records of the Town of Chelmsford Board of Assessors.

PARCEL II

The property described in a deed to David E. Merrill and Helen M. Merrill dated October 1, 1987 and recorded at the Middlesex North District Registry of Deeds at Book 4264 Page 168. Said property, according to the above-described deed, contains 25,834 square feet.

The property is also described as 3 Watt Terrace and shown as Map 0012 Lot 15 on the records of the Town of Chelmsford Board of Assessors

; or act in relation thereto.

Petition

Article 6.

To see if the Town will vote to authorize the Town Manager and Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land on Monmouth Street, shown as Lot 4 on Assessor's Map 114, containing 15,000 square feet more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2539, Page 82; or act in relation thereto.

Town Manager

Town Manager

Article 7.

To see if the Town will vote to instruct the Board of Selectmen to place a non-binding referendum question on the April 1994 local election ballot asking the voters of the Town of Chelmsford if they support the filing of legislation in the State Legislature to dissolve the three existing water districts in the Town of Chelmsford and to establish a water division within the Chelmsford Department of Public Works with water rates set by the Board of Selectmen, or their designee, provided that all water revenues including user fees be used for costs associated with the provision of water services or related construction and that any surplus of such revenue be utilized to reduce water rates.

Further, the Board of Selectmen will place before the 1994 Spring Annual Town Meeting a warrant article that proposes the legislation to be filed with the State Legislature that dissolves the three existing water districts and establishes the water division of the Department of Public Works.

And further, the Board of Selectmen shall request the Town Manager to prepare and provide a report to the Town Meeting outlining the transitional issues of establishing a water division within the Department of Public Works including, but not limited to, proposed staffing, potential capital improvements, projected costs, projected savings, and anticipated water rates; or act in relation thereto.

Board of Selectmen

Article 8.

To see if the Town will vote to amend the General Bylaws Article VII MISCELLANEOUS by adding the following:

Section 13 Promulgation of Rules and Regulations By Town Boards and Commissions

1. Every Town Board and Commission shall promulgate Rules and Regulations for conduct of business in the Town. All Rules and Regulations shall be sufficiently comprehensive, reasonable, definite and carefully drafted so anyone dealing with the Board or Commission may know in advance what is or may be required of them or what standards and procedures will apply to them. These Rules and Regulations shall meet all requirements of this bylaw in addition to the requirements of the Massachusetts General Laws as they pertain to any particular Board or Commission.

2. Town Boards and Commissions should interact in drafting Rules and Regulations to ensure an overall comprehensive scheme and minimize duplication and conflicting regulations.

3. In addition to the requirements of any enabling legislation no Rule and Regulation adopted after January 1, 1994 shall be effective until voted by said Board or Commission at a public hearing. Notice of such hearing specifying the date, time and place of the hearing together with a brief statement of the subject matter of the proposed Rules and Regulations or Amendment shall be given by publication in a newspaper of general circulation in the Town on a date not less than fourteen (14) days prior to such hearing. In addition the Board or Commission shall cause a copy of the proposed Rules and Regulations on any Amendment to be filed in the Office of the Town Clerk for inspection and copying no later than thirty (30) days prior to such public hearing. A copy of the proposed Rules and Regulations or amendment shall be delivered no later than thirty (30) days prior to such public hearing to the Town Manager for distribution within the Town as deemed necessary by the Manager.

4. The proposed rules and regulations or amendments to same shall be finally acted upon at such public hearing unless a continued date and time is announced at said meeting. No further notices shall be published or posted relative to continued hearings.

5. Upon approval a copy of all Rules and Regulations shall be filed in the Office of the Town Clerk.

; or act in relation thereto

Town Manager

Article 9.

To see if the Town will vote to authorize the Town Manager and the Board of Selectmen to sell pursuant to the provisions of Massachusetts General Laws Chapter 30B Police Cruisers and Motorcycles and appropriate a certain sum of money from funds received from said sales towards the purchase of communication radios for the police department; or act in relation thereto.

Town Manager

Article 10.

To see if the Town will vote to amend the General By-Laws Article VI POLICE REGULATIONS by adding Section 23 Alarm Rules and By-Law Regulations as follows:

Section 23 **ALARM RULES AND BY-LAW REGULATIONS**

SECTION 1 - DEFINITIONS

A. Emergency Alarm System: The term "Emergency Alarm System" shall mean an assembly of equipment and devices, or a single device, arranged to signal a hazard or intrusion requiring urgent attention and to which police are expected to respond. In this By-Law, the term "Emergency Alarm System" shall include the terms, "Dial Alarm", "Direct Alarm", and "Local Alarm", as those terms are hereinafter defined.

Fire alarm systems and alarm systems which monitor temperature, humidity, and any other conditions not directly related to the detection of an unauthorized intrusion into a premises, robbery or attempted robbery at a premises, are specifically excluded from the provisions of this By-Law.

B. Alarm Installation: The term "Alarm Installation" shall refer to the design, installation, repair, alterations and maintenance of systems designed to cause alarm to be sounded in the event of a burglary or robbery.

C. Person: The term "Person" shall refer to any natural person, corporation, unincorporated association, or other legal entity.

D. Alarm User: The term "Alarm User" shall refer to any person on whose premises an alarm system is maintained with the Town of Chelmsford, except for alarm systems on motor vehicles or proprietary alarm systems.

E. Proprietary System: The term "Proprietary System" shall mean all **alarm** systems sounding and/or recording alarm and supervisory signals at a control center located within the protected premises; the control center being under the supervision of the proprietor of the protected premises or his employees or agents. If a proprietary alarm system includes a signal line connected directly, or by means of a dialing device, to a central station or answering service, it thereby becomes an emergency alarm system as defined in this By-Law.

F. Answering Service: The term "Answering Service" shall mean a telephone answering service which provides the service of receiving emergency signals from alarm systems, and thereafter immediately relaying the message by live voice to the Chelmsford Police Department.

G. Central Alarm Station: The term "Central Alarm Station" shall mean any facility which is privately owned, that owns or leases alarm systems, whose facility is staffed by employees who receive, record, or validate alarm signals, and relay the information of such signals to the Chelmsford Police Department by any means.

Dial Alarm: The term "Dial Alarm" shall mean an alarm system which automatically selects a telephone line connected to the Chelmsford Police Department and reproduces a prerecorded voice message or coded signal indicating the existence of an emergency situation that the alarm system is designed to detect.

Direct Alarm: The term "Direct Alarm" shall mean any alarm system which is directly connected to the alarm processing unit within the police monitoring facility.

Local Alarm: The term "Local Alarm" shall mean any alarm system which may, or may not be connected to a central station or answering service, which when activated, causes an audible and/or visual signaling device at the premises within which the alarm system is installed.

Manual Alarm: The term "Manual Alarm" shall mean any alarm in which the activation of the alarm is initiated by the direct action of the alarm user, his agents, or employees, and is installed to elicit a police response to a burglary, attempted burglary, robbery or attempted robbery.

False Alarm: The term "False Alarm" means (1) the activation of an alarm system through mechanical failure, malfunction, improper installation, or negligence of the user of an alarm system or of his employees or agents; (2) any signal or oral communication transmitted to the Police Department requesting, requiring or resulting in a response on the part of the Police Department when, in fact, there has been no unauthorized intrusion or attempted unauthorized intrusion into a premises and no attempted robbery at a premises. Excluded from this definition are activation of alarm systems caused by power outages, hurricanes, tornadoes, earthquakes, or an alarm user who has no other means of eliciting an emergency response by the Police Department for valid emergency reasons.

Town: The term "Town" shall mean the Town of Chelmsford, Massachusetts.

Police Department: The term "Police" or "Police Department" shall mean the Town of Chelmsford Police Department, or any authorized agent thereof.

Police Chief: The term "Police Chief" shall mean the Chief of Police of the Town of Chelmsford or his designated representative.

Public Nuisance: The term "Public Nuisance" shall mean anything which annoys, injures, or endangers the comfort, repose, health or safety of any persons or any community or neighborhood.

Permit: The term "Permit" shall mean written permission, duly granted to an applicant by the Town upon payment of the required fee.

Permit Year: The term "Permit Year" means a 12-month period, beginning January 1 and ending December 31 of each year.

Police Alarm Administrator: The term "Police Alarm Administrator" shall mean an employee of the Town whose responsibility is to coordinate the administration and documentation of alarm businesses and alarm systems as it relates to the effective enforcement of the provisions of this chapter.

ECTION 2 - ADMINISTRATIVE PROCEDURES

ithin ninety (90) days from the effective date of this By-Law, every Alarm User" shall make application for a permit which shall be required o maintain and/or operate an "Emergency Alarm System" within the Town f Chelmsford.

he Chief of Police is hereby authorized to issue a permit to any owner f property located within the Town of Chelmsford or the lesser thereof, o maintain, install and modify an alarm system upon application to him, nd subject to the following provisions:

. The alarm user, applying for the permit, shall provide to the Chief of Police the name, address, and current telephone number of at least two persons for one family residences and three persons for all other property, who will be available at all times for the purpose of responding to alarms, by personally appearing at the building protected following an alarm of any kind.

. The Chief of Police, upon application to him for a permit, shall, in his sound judgement, determine whether the application conforms to the requirements of this By-Law, that the facts stated therein are true and accurate; and he may cause such system to be inspected, to determine whether such system is reasonably operational.

. All information obtained pursuant to this By-Law shall be kept confidential and shall be for the use of the Police Communications Center and the Police Alarm Administrator.

. It shall be the responsibility of the permit holder to keep all information necessary for proper notification, with the Police Communications Center/Police Alarm Administrator, current and up to date.

. A "Residential Permit" shall include all private dwellings, individual apartments, or condominium units, occupied primarily by the applicant, for which the applicant will pay to the Town of Chelmsford a permit fee of ten dollars ($10.00). The effective date will be January 1, 1994. Said effective date does not exempt the payment of said fee for previously installed systems.

. A "Commercial Permit" shall include all businesses, corporations, or unincorporated associations for which the applicant will pay to the Town of Chelmsford a permit fee of fifteen dollars ($15.00).

. All federal, state, county, or local government agencies who operate alarm systems shall be exempt from all permit fees and services charges, but shall comply with all other requirements of this By-Law, and with all requests of the Chief of Police, as shall concern the operation of their alarm systems.

. All persons 65 years of age or older who are the principal occupant of the private residence listed on the application, shall also be exempt from all permit fees, but shall comply with all other requirements of this By-Law.

- Applications for the renewal of an alarm user's permit shall be made every year within 30 days immediately preceding January 1, and shall be accompanied by a non-refundable fee of ten dollars ($10.00) for each application in behalf of a residential building and fifteen dollars ($15.00) for each application in behalf of a non-residential building.

- A twenty-five dollar ($25.00) late charge will be charged in addition to the fees provided above, to an alarm user who is more than sixty (60) days delinquent in renewing a permit.

- All alarm users to whom a permit has been issued, shall keep the permit within the protected premises for which the permit was issued.

- Any alarm permit issued under this By-Law shall be made available for inspection, suspension, or revocation purposes, upon the demand of any authorized Chelmsford Police Officer.

- Failure to comply with any of the provisions of this By-Law may constitute grounds for the Chief of Police to deny the issuance of a permit, or suspend/revoke an existing permit.

ECTION 3 - CONTROL AND CURTAILMENT OF FALSE ALARMS

- No alarm system designed to transmit emergency messages through relay to the Police Department shall be worked on, tested or demonstrated without notifying and obtaining permission from the Police Chief. Permission is not required to test or demonstrate alarm devices not transmitting emergency messages through relay to the Police Department. An unauthorized test constitutes a false alarm.

- If in the event of any alarm, the Police Communications Center is unable to notify any listed representative of the alarm user, or if a representative of the alarm user fails to appear at the building protected within thirty (30) minutes after notification, the Police Communications Center shall not respond to any further alarms from that system until the alarm is reset by the alarm user or, in the case of a defective alarm system, until the alarm system has been repaired.

  Whenever a representative of an alarm user fails to appear at the building protected, following an alarm within thirty (30) minutes after being notified by the Police Communications Center, the alarm user shall pay a charge of ten dollars ($10.00) in addition to any service charge assessed, for every such event, to the Town of Chelmsford. Violation of the provisions of this sub-section is sufficient cause for suspension/revocation of the Emergency Alarm System Permit required by Section 2 of the code of the Town of Chelmsford.

- Any user of an alarm system, which transmits false alarms requiring a response from the Chelmsford Police Department, shall be assessed a service charge of twenty five dollars ($25.00) for each false alarm in excess of three (3) occurring within a thirty (30) day period.

Fees:
Third false alarm within a 30 day period.....$25.00
Fourth false alarm within a 30 day period.....$50.00
Fifth & subsequent false alarm within a 30 day period....$100.00

All service charges assessed hereunder shall be paid through the Police Alarm Administrator to the Town of Chelmsford Treasurer for deposit into the General Fund. Upon failure of an alarm user to pay the assigned service charge within thirty (30) days, a five dollar ($5.00) late fee shall be assessed and the total amount shall be payable within fifteen (15) days. Failure to remit payment due, within a total of forty-five (45) days from original notice shall result in the Chief of Police ordering the permit (for the premises recording the false alarm) revoked. Any such revocation shall be effectuated within ten (10) days from the date of mailing of the Police Chief's order.

I After the Police Department has recorded three (3) separate false alarms within a calendar year from a particular alarm system, the Police Chief shall notify the alarm user, in writing, of such fact and require said alarm user to submit, within ten (10) days after receipt of said notice, a report describing efforts to discover and eliminate the cause(s) of the false alarms. If the alarm user, on the basis of absence from the Town, or on any other reasonable basis, requests an extension of time for filing the report, the Police Chief may extend the ten (10) day period for a reasonable time. If the said alarm user fails to submit such a report within ten (10) days or within any such extended period, the Police Chief may order the alarm permit (for the premises recording the three (3) false alarms) suspended until the alarm system is made to function properly. Any such order of suspension shall be preceded by a written notice of intent to the alarm user by the Police Chief. Any such suspension shall be effectuated ten (10) days from the date of mailing of the Police Chief's notice, if no hearing is requested.

E In the event that the Police Chief determines that a report submitted is unsatisfactory or the alarm user has failed to show by the report that he has taken or will take reasonable steps to eliminate or reduce false alarms, then the Police Chief shall order the alarm permit (for the premises recording the three (3) false alarms) suspended until the alarm system is made to function properly. Any such order of suspension shall be preceded by a written notice of intent to the alarm user by the Police Chief. Any such suspension shall be effectuated within ten (10) days from the date of mailing of the Chief's order.

F In the event that the Police Department records five (5) false alarms within a calendar year from a particular alarm system, the Police Chief may order the permit for said alarm system be suspended for a period of not less than six (6) months from the date the alarm system is disconnected. Any such order of suspension shall be preceded by a written notice of intent to the alarm user by the Police Chief. Any such suspension shall be effectuated within ten (10) days from the date of mailing of the Police Chief's order.

G Upon receipt of a notice of intent to revoke or suspend an alarm user's permit, pursuant to this By-Law, the alarm user may, within five (5) days of such receipt, submit a written request for a hearing before the Chief of Police or his designee, setting forth the reasons why the permit should not be revoked or suspended.

I At the hearing before the Chief of Police or his designee, the holder of the permit shall have the right to present evidence, cross-examine witnesses and to be represented by counsel. Such a hearing shall be informal and shall not be subject to the rules of evidence or formal courtroom procedure. After the hearing, the Chief of Police or his designee may either issue an order of revocation, withdraw the notice of revocation, or suspend the permit until such time that he is satisfied that the cause (or causes) of the false alarms has (or have) been eliminated.

J Any alarm user who has, in accordance with this section, had their alarm permit revoked/suspended by the Police Chief may appeal the order of revocation/suspension to the Board of Selectmen. An appeal shall be filed within five (5) days of the date of the order of revocation/suspension. Thereafter, the Board shall consider the merits of the appeal, and in connection therewith shall hear evidence presented by all parties concerned. After hearing such evidence the Board may affirm, vacate, or modify the order of revocation/suspension.

J An alarm user whose permit has been revoked, is not precluded under this By-Law from applying for a new permit unless he is satisfied that the user's system has been properly services and its deficiencies corrected. The Chief of Police may also impose reasonable restrictions and conditions upon the user before issuing a new permit. (These restrictions and/or conditions shall appear on the permit and shall provide for automatic revocation occurrence of two (2) false alarms in the remaining permit year.)

K Any alarm user, central station, answering service or proprietary system, who does not possess an alarm user's permit, or whose permit has been suspended, revoked or denied, transmits by any means to the Chelmsford Police Department an alarm signal from their respective system, shall be charged a twenty-five dollar ($25.00) service fee for each signal eliciting a response from the Police. This service fee shall be separate from any fines which may be assessed by the Court upon a finding of a violation of this By-Law.

L Any alarm user, owner, or lessee who possess an alarm user's permit may appeal false alarm service charges in writing to the Chief of Police within ten (10) days after receipt of the notice of penalty.

M The Chief of Police or his designee may waive assessment of the service charge, when, in his judgement, reasonable attempts are being taken to discover and eliminate the cause of the false alarm.

N Any alarm user who, after having a permit revoked and after exhausting his right to a hearing, fails to disconnect his alarm system, shall be guilty of a violation, and upon conviction, shall be fined not less than one hundred dollars ($100.00).

SECTION 4 - ABATEMENT OF NUISANCE ALARMS

A All alarm systems as defined in this By-Law which make or sound an audible signal which may be heard outside of the protected premises, shall be equipped with a device which shall limit the duration of such audible signal to not more than twenty (20) minutes.

1. Any alarm system emitting a continuous and uninterrupted audible signal for more than twenty (20) minutes between 7:00 P.M. and 7:00 A.M. which cannot be shut off, reset or otherwise curtailed due to the absence of unavailability of the alarm user or those persons designated by him and which disturb the peace, comfort or repose of a community, a neighborhood, or inhabitants of the area where the alarm system is located, shall constitute a public nuisance. Upon receiving complaints regarding such a continuous and uninterrupted audible signal, the Police Communications Center shall endeavor to contact the alarm user, or members of the alarm user's family, or those persons designated by the alarm user in an effort to abate the nuisance. The Police Chief shall cause to be recorded the names and addresses of all complainants and the time each complaint was made.

(In the event that the Police Chief is unable to contact the alarm user, or members of the alarm user's family, or those persons designated by the alarm user or if the aforesaid persons cannot or will not curtail the audible signal being emitted by the alarm system, and if the Police Chief is otherwise unable to abate the nuisance, he may direct a Police Officer or a Fire Fighter or a qualified alarm technician to enter upon the property, outside the home or building in which the alarm system is located and take any reasonable action necessary to abate the nuisance.

I If entry upon property outside the home or building in which the alarm system is located is made in accordance with this section, the person so entering upon such property: (1) shall be considered lawfully present but may not conduct any search, seizure, inspection, or investigation while he is upon the property; and (2) shall not cause any unnecessary damage to the alarm system or to any part of the home or building; and (3) shall leave the property immediately after the audible signal has ceased. After an entry upon property has been made in accordance with this section, the Police Chief shall have the property secured, if necessary. The reasonable costs and expenses of abating a nuisance in accordance with this section may be assessed to the alarm user, said assessment not to exceed expenses incurred by the Town.

I Within ten (10) days after abatement of a nuisance in accordance with this section, the alarm user may request a hearing before the Chief of Police and may present evidence showing that the signal emitted by his alarm system was not public nuisance at the time of the abatement; that unnecessary damage was caused to his property in the course of the abatement; that the costs of the abatement should not be assessed to him; or that the requirements of this section were not fulfilled. The Chief shall hear all interested parties and may, in his discretion, reimburse the alarm user for the repairs to his property necessitated by the abatement, or excuse the alarm user from paying the costs of the abatement.

:CTION 6 - ADMINISTRATION OF PROGRAM

'ie Chief of Police shall establish a written procedure for the ;dministration and enforcement of the provisions of this By-Law.

1 January of each year the Chief of Police shall submit a report to the ;wn Manager regarding the effectiveness of this By-Law and any :commendations thereon.

he Police Department of the Town of Chelmsford shall take every easonable precaution to assure that the alarm signals and alarm essages received by the Police Department are given appropriate ttention and are acted upon with dispatch. Nevertheless, the Police epartment shall not be liable for any defects in the operation of alarm evices, for any failure or neglect to respond appropriately upon eceipt of an alarm from such source, nor for the failure or neglect of ny person or in connection with the installation and operation of alarm ystems or their components, the transmission of alarm signals and rerecorded messages, or the relaying of such signals and messages. In he event that the Police Department finds it necessary to disconnect an larm device after exhausting all other provisions of the By-Law, the olice Department shall incur no liability by such action.

ECTION 7 - ALARMS NOT ALLOWED

ial alarms and direct alarms are not allowed.

ECTION 8 - PENALTIES

t shall be unlawful for any person or alarm user to maintain or operate n alarm system, as defined by the terms of this By-Law, without first btaining a permit as provided.

ny person or alarm user who does maintain or operate an alarm system ithout a permit shall be guilty of a violation, and upon conviction, hall be fined not less than fifty dollars ($50.00).

ny alarm user who, after having a permit suspended/revoked and after xhausting their right to a hearing, fails to disconnect the alarm ystem, shall be guilty of a violation, and upon conviction, shall be ined not less than one hundred dollars ($100.00).

or act in relation thereto.

Police Department

Article 11.

To see if the Town will vote to transfer and appropriate from available funds or transfer and appropriate from the 1991 Transportation Bond Issue as set forth in Chapter 33 of the Acts of 1991, a certain sum of money for the purpose of Chapter 90 expenditures; or act in relation thereto.

Town Manager

Article 12.

To see if the Town will authorize filing of special legislation with the General Court of Massachusetts to exempt the position of police chief from the provisions of chapter thirty-one of the General Laws as follows:

An Act Exempting the Position of Chief of Police of Chelmsford from Civil Service

Be it enacted by the General Court of Massachusetts,

Section 1. The position of police chief in the Town of Chelmsford shall be exempt from the provisions of chapter thirty-one of the General Laws.

Section 2. The provisions of Section One shall not impair the civil service status of any person holding the position of police chief in said town on the effective date of this act.

Section 3. This act shall take effect upon its passage.

; or act in relation thereto.

Town Manager

Article 13.

To see if the Town will vote to amend the Chelmsford Sewer Commission Betterment Assessments and Sewer Privilege Fees dated September 8, 1986, revised April, 1988 and April 23, 1990 by adding the following section:

5.4 Sewer Connection Charge

The Commission shall assess a sewer connection charge to the owners of land abutting a sewer line owned by the Town of Chelmsford for those properties that cannot be assessed a sewer betterment or privilege fee. This charge shall be made in lieu of a betterment assessment or privilege fee in an amount equal to the amount that would have been assessed under either Section 3 or Section 5, whichever is deemed appropriate by the Commission.

Sewer connection charges shall be levied at the time of connection to the public sewer system. Section 4.2 and 4.5 of these regulations shall govern a property owner's method of payment

; or act in relation thereto.

Sewer Commission

Article 14.

To see if the Town of Chelmsford will accept Massachusetts General Laws Chapter 59, Section 5, Clause 41A which currently permits local assessors to grant total or partial deferrals from real estate taxes to persons 65 or older, providing they have signed a "tax deferral and recovery" agreement with the municipality, and have qualifying gross receipts from all sources of not more than $40,000.00; or act in relation thereto.

Petition

Article 15.

To see if the Town will vote to amend the current zoning bylaw to extend single family dwelling and allow in-law apartments in all residential districts of Chelmsford; or act in relation thereto.

Petition

Article 16.

To see if the Town will vote to instruct the Board of Assessors to issue a certain amount of money from Free Cash in the Treasury for the reduction of the tax rate; or act in relation thereto.

Town Manager

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 27th day of September A.D., 1993

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

Richard E. DeFreitas, Chairman

Peter V. Lawlor, Vice Chairman

Robert P. Joyce, Clerk

Jeffrey A. Brem

William R. Logan

NOTICE OF PROPOSED DATES AND TIMES FOR CONTINUED SESSIONS OF THE FALL ANNUAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Fall Annual Town Meeting of October 18, 1993:

Thursday, October 21, 1993 at 7:30 p.m.

Monday, October 25, 1993 at 7:30 p.m.

Thursday, October 28, 1993 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meeting is concluded.

Pursuant to General By-Laws Article II, Section 4.10 Notice these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. September 28, 1993

Pursuant to the within notice, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafeteria, Byam School Cafetorium, Westland School Cafeteria, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence
Constable

True Copy Attest, William E. Spence
William E. Spence, Constable

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. September 28, 1993

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places to wit:
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Signed:

William E. Spence

William E. Spence,
Constable

A True Copy Attest, William E. Spence
William E. Spence, Constable

WARRANT FOR
THE SPECIAL TOWN MEETING
OCTOBER 21, 1993
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the constable, or any other suitable person of the Town of Chelmsford:

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the town meeting representatives of said Chelmsford to meet in the McCarthy School Auditorium on Thursday, the twenty first day of October, at 7:30 p.m. o'clock in the evening, then and there to act upon the following articles, VIZ:

Article 1.

To see if the Town will vote to transfer the sum of $12,500.00 from the sale of Graves and Lots to the Cemetery Improvement and Development Fund and vote to rescind Article 18 of the Spring Annual Town Meeting of 1992; or act in relation thereto.

Board of Selectmen

Article 2.

To see if the Town will vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easements in Chelmsford, Massachusetts, Phase IIIA Sewers, prepared for the Chelmsford Sewer Commission, October, 1993" by Richard F. Kaminski and Associates, Inc., said plan to be presented at Town Meeting, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto; and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, transfer and appropriate from revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Sewer Commission

Article 3.

To see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple with the trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sidewalk Easements Davis Road, Chelmsford, MA prepared for the Town of Chelmsford, October 1993", by Land Tech Consultants Inc., and "Plan of Sidewalk Easements North Road, Chelmsford, MA prepared for the Town of Chelmsford, October 1993", by Land Tech Consultants Inc., and "Plan of Sidewalk Easements Crooked Spring Road, Chelmsford, MA prepared for the Town of Chelmsford, October 1993", by Land Tech Consultants Inc., and "Plan of Sidewalk Easements Old Westford Road, Chelmsford, MA prepared for the Town of Chelmsford, October 1993", by Land Tech Consultants Inc., said plans to be presented at Town Meeting, for the purpose of constructing and maintaining sidewalks and all other appurtenances thereto; and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, transfer and appropriate from revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 5th day of October A.D., 1993

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

Richard E. DeFreitas, Chairman

Peter V. Lawlor, Vice Chairman

Robert P. Joyce, Clerk

Jeffrey A. Brem

William R. Logan

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
SPECIAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Special Town Meeting of October 21, 1993:

Monday, October 25, 1993 at 7:30 p.m.

Thursday, October 28, 1993 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meeting is concluded.

Pursuant to General By-Laws Article II, Section 4.10 Notice these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. OCTOBER 6 , 1993

Pursuant to the within notice, I have notified and warned the inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafeteria, Byam School Cafetorium, Westland School Cafeteria, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence
William E. Spence
Constable

True Copy Attest, William E. Spence
William E. Spence, Constable

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Signed:

William E. Spence

William E. Spence,
Constable

A True Copy Attest, William E. Spence

William E. Spence, Constable

ANNUAL FALL TOWN MEETING
October 18, 1993

The Annual Fall Town Meeting was called to order at the McCarthy Middle School Auditorium, at 7:40 PM, by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 156 Town Meeting Representatives present.

The Moderator went over and explained the Town Meeting procedures, and pointed out the emergency exits located within the Auditorium. He then asked for a moment of silence in memory of town officials who had passed away since the April meeting. Bruce Knowles, member of the Commission on Disabilities who passed away July 17th, Martin Ames, former member of the School Committee, 1971-1974, and the Finance Committee, he died May 24th. Kenton Wells, former member of the Sinking Fund, 1971-1977, who died July 8th.

Selectman Peter Lawlor moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously, by show of hands. Selectman Lawlor moved that the reading of the warrant be waived. It was so voted, unanimously, by show of hands.

The Moderator announced that the following Non residents were present and with permission would address the Body if need be during the discussion of Article 5. James Hantzis, George Yannakopoulis, Ciro's Owners. John Sullivan, Architect, Robert Murphy, Traffic Consultant, Robert Gill, Engineer. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 1 Selectman Peter V. Lawlor, moved that the Town vote to hear reports of the Town Officers and Committees.

Selectman DeFreitas announced that at this time Senator Lucille Hicks and Representative Carol Cleven were present and wished to address the Body. Senator Hicks spoke about more money being made available from the State. Certain issues were being addressed and as a result programs where being created and funded. An example is the battered women issue, and how the Jane Doe Safety Fund program has received additional funding. Representative Cleven spoke about the Motor Vehicle Registration Bill and the Re-Districting issue. Chelmsford is short about 3000 people which would be needed in order to keep the Town under one district, there is a chance that a division may be made, however Senator Hicks and herself are in agreement that the Town should remain whole and are fighting together to keep Chelmsford under one district.

UNDER ARTICLE 2 Town Manager Bernard Lynch, moved that the Town vote to raise and appropriate the sum of $9,917.00 with which to meet bills from previous years.

Town Manager Bernard Lynch explained that this amount represented insurance bills and public building bills that had come in after the closing of the fiscal year. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 3 Town Manager Bernard Lynch, moved that the

Town vote to raise and appropriate the sum of $1,230,733.00 in accordance with the Education Reform Act of 1993 to amend the FY 94 Budget by increasing Line Item 6, School Department.

Town Manager Bernard Lynch explained that the Town was receiving an additional $1.28 million dollars in state aid. There was no local tax money involved at this point, it was all state aid. He asked School Superintendent, Dr Moser to come forward and explain. Dr Moser said the budget needed to be increased by $1.6 million dollars and basically there will be no actual improvement. The total budget will be $25,191,954. He gave a presentation listing the fixed cost increases of $937,000, additional positions cost of $547,000. The union personnel had settled with increases of 4%, 3%,and 2 1/2%, over three years. $711,000 was the retroactive amount due to those who didn't receive any raises.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. Edward Cady and Henry Emmett asked questions. The Moderator asked if there was any need for further discussion, hearing none he asked for a vote by way of a show of hands. Motion carried, unanimously.

UNDER ARTICLE 4 Town Manager Bernard Lynch, moved that the Town vote to raise and appropriate the sum of $9,513.00 to amend the FY94 Budget by increasing Line Item 7 Nashoba Valley Technical High School to comply with the Town of Chelmsford's Minimum Contribution Level as set forth by the Education Reform Act for school districts in the Commonwealth.

Town Manager Bernard Lynch explained that this is the increased amount in State aid due from the state. The Finance Committee recommended the article. The Board of Selectmen recommended the article. Motion carried, unanimously.

Michael Sokol moved to waive the reading of Article 5. The Moderator asked for a show of hands, motion defeated. The Moderator then read the article.

UNDER ARTICLE 5 Christine Gleason, moved that the Town vote to amend the existing Town of Chelmsford Zoning Map by removing the following described property on Chelmsford Street and Watt Terrace from Neighborhood Commercial District (CA) and placing all of said property in a Shopping Center District (CC):

PARCEL I

The property described in a deed to David E. Merrill dated July 3rd, 1968 and recorded at the Middlesex North District Registry of Deeds at Book 1849 Page 639. Said property, according of the above-described deed, contains 24,825 square feet.

The property is also identified as 285-287 Chelmsford Street and shown as Map 112, Lots 13, 14, 16 on the records of the Town of Chelmsford Board of Assessors.

PARCEL II

The property described in a deed to David E. Merrill and Helen M. Merrill dated October 1, 1987, and recorded at the Middlesex North District Registry of Deeds at Book 4261 Page 168. Said property, according to the above described deed, contains 25,834 square feet.

The property is also describe as 3 Watt Terrace and shown as Map 0012 Lot 15 on the records of the Town of Chelmsford Board of Assessors.

Attorney James Geary representing David Merrill explained that the property is presently zoned CA but it is surrounded by a CC zone and this would make it compatible to the area. Questions were asked concerning the traffic. Attorney Geary stated that a complete traffic study will be conducted. He was assured that curb cutting was possible. David McLachlan questioned if the prospective buyer was in fact Ciro's and not the Mall. Attorney Geary said that there was a pending purchase and sale agreement. David McLaughlin questioned if the property would be using town water and sewage. Yes it would be. John Carson questioned why the property next store was not included in the zoning change. This was due to different owners. The Finance Committee was in favor of the article. The Board of Selectmen were in favor of the article. The Moderator asked for the Planning Board's recommendation. Chairman Christine Gleason came forth and read the Board's recommendation:

"The Planning Board held a Public Hearing on October 13, 1993 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on September 23 and 30, 1993, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. At that meeting, the proponents residents and the Planning Board discussed the merits of this zoning change. It is the opinion of the Planning Board that the area described in the legal ad is currently discrepant with the rest of the surrounding area of Chelmsford Street. Therefore, in keeping consistent with the general intention of the Zoning By-laws for continuity in the development of the community, the Planning Board voted (5-0) to recommend an amendment to the Town of Chelmsford Zoning Map to remove the property on Chelmsford Street and Watt Terrace from (CA) Neighborhood Commercial District and place all of said property in a (CC) Shopping Center Commercial District."

Steve Hadley asked to defeat the article until the actual traffic study is complete, then make a decision. The Moderator attempted for an unanimous vote which failed. A 2/3's is needed because this is a change in zoning. The following tellers came forward and a hand count was conducted:
Dorothy Frawley, Patricia Plank, Lucy Simonian, Jean Horgan.
Result: Yes 136 No 13 99 is 2/3's the motion carried.

<u>UNDER ARTICLE 6</u> Town Manager Bernard Lynch, moved that the Town vote to authorized the Town Manager and Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land on Monmouth Street shown as Lot 4 on Assessor's Map 114 containing 15,000 square feet more or less and more fully described in a deed recorded in the Middlesex North district Registry of Deeds in book 2539, Page 82.

Town Manager Bernard Lynch explained that this land will be put out for competitive bid, and will be sold for the maximum bid. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. The Moderator asked for a voted by way of a show of hands, motion carried, unanimously.

The Moderator, Dennis McHugh, made a point of order. At this time he was appointing Dwight Haywood of the Finance Committee as Acting Moderator for this article. The Moderator stated that he had a direct conflict because he represents the North Water District from time to time, and Town Counsel James Harrington, represents the Town. Dwight Haywood came forward, and Town Clerk Mary St.Hilaire swore him in and the meeting proceeded.

UNDER ARTICLE 7 The Acting Moderator noted that the wording of the article is not the same as what is printed in the warrant book. The second paragraph had been eliminated and the what appeared as the third paragraph is now the second paragraph with additional wording at the end of it. He read the motion to the body:

Selectman Peter V. Lawlor, moved that the Town vote to instruct the Board of Selectmen to place a non-binding referendum question on the April 1994 local election ballot asking the voters of the Town of Chelmsford if they support the filing of legislation in the State Legislature to dissolved the three existing water districts in the Town of Chelmsford and to establish a water division within the Chelmsford Department of Public Works with water rates set by the Board of Selectmen, or their designee, provided that all water revenues including user fees be used for costs associated with the provision of water services or related construction and that any surplus of such revenue be utilized to reduce water rates.

And further, the Board of Selectmen shall request the Town Manager toprepare and provide a report to the Town Meeting outlining the transitional issues of establishing a water division within the Department of Public Works including, but not limited to, proposed staffing, potential capital improvements, projected costs, projected savings, anticipated water rates and alternative rate setting options.

Selectman Peter Lawlor noted that the Board of Selectmen unanimously voted to delete the second paragraph because this would force a time frame that they did not want to be bound to. He went on to explain that it was agreed with all the Water District Commissioners and the Board of Selectmen that the only way consolidation can take place is thru the process of petitioning the State Legislation. That Body is the only one who can create or dissolve water districts. The only real issue before the Body tonight, however, was not pro or con consolidation, but the decision to put this non-binding question on the ballot and it would not cost anything to do so. This would check the pulse of the Town. Everyone could vote their choice. He urged the Town Meeting Representatives to allow this process. Lorraine Lambert questioned the purpose of putting this issue on the ballot. She felt that this form of Government allowed the 162 Representatives to make decisions, that is why they are elected by the voters of their precincts, to represent them. Mary Frantz questioned what happened in 1988, wasn't this issued favorably voted? Selectman Lawlor explained that yes it was voted at the Town Election and at the Town Meeting to consolidate the water districts by way of petitioning legislation, however, for whatever the reason, the final step was never done to petition legislation. Numerous questions were asked about the effects and savings this would have on the Town as a whole. It was questioned if the wording would be legal for a question on the ballot. James Harrington, Town Counsel confirmed that the wording was legal and could appear on the ballot. The Acting Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Acting Moderator opened the floor for discussion, and a lengthy discussion took place. Representatives spoke in favor of consolidation and to allow a question to appear on the April ballot. Questions were asked concerning the fact that the money received from the water fees could go towards other usages besides the water budget. Who would be responsible to making sure that the money raised in water rates would only be used to

maintain the water service. Selectman Lawlor explained that this is the job of the Town Accountant. The Accountant makes sure that all money raised is accountable for. If accounts are only allowed to expend money for certain things then that is what will happen. Ronald Wetmore, Water Commissioner from the Center District gave a brief presentation showing the actual cost per gallon in each district and the expenses bored by each district. Dolores Blomgren expressed information regarding the survey done by the three districts. According to the survey the water takers did not want to be consolidated under the Town's DPW Department. A higher percentage of people responded to the survey than those who voted at the election when the issue was a ballot question. This should be an indication on how the Town's people felt. More discussion took place. Michael Sokol spoke against the Water Districts coming under the Town. He didn't want any money from the water fee's to be used down the road to supplement the school budget. He moved to amend the article by inserting between "to dissolved the three existing water districts in the Town of Chelmsford." and "within the Chelmsford Department of Public Works" the phrase "establish a consolidated municipal water district or to establish a water district" Insert after "to prepare and provide a report to the Town Meeting outlining the transitional issues of establishing" the phrase "a consolidated municipal water district or". And a second referendum question will be placed before the voters to establish one consolidated municipal water district. He then explained the reasoning for his amendment. Michael McCall spoke in favor of the motion to amend. The Finance Committee recommended the amendment. The Board of Selectmen did not recommend the amendment. Bernard Lynch gave a brief history of the water consolidation issue. The Acting Moderator asked for a vote on the motion to amend. Motion defeated by a show of hands. Further discussion took place. Representatives spoke against the article. Tom Walsh questioned why after all this lengthy debate has no one really addressed the issue of putting the question on the ballot. He felt that the Representatives knew how they would vote personally, however the vote should be made based on placing the question on the ballot. Dennis Ready moved the question to stop debate. The Acting Moderator asked for a show of hands on the motion to stop debate, motion carried, unanimously. The Acting Moderator then asked for vote by way of a show of hands on the article. This left the Chair in doubt, the following tellers came forward and a hand count was taken:
Yes 68 No 74 The vote needed is a majority, the motion is defeated.

Dennis McHugh resumed the Chair as Moderator and thanked Dwight Haywood for his efforts.

Selectman Peter V. Lawlor moved to adjourned the Annual Town Meeting until 7:30 PM at the McCarthy Middle School Auditorium on Thursday October 21, 1993.

The Moderator asked for a vote by way of a show of hands, motion carried unanimously. The meeting adjourned at 10:55 PM.

_____

Dennis E. McHugh,
Moderator

_____

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL FALL TOWN MEETING
October 21, 1993

The Adjourned Town Meeting was called to order at the McCarthy Middle School Auditorium, at 7:40 PM, by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 149 Town Meeting Representatives present.

Selectman Peter V. Lawlor moved to recess the Annual Town Meeting until the conclusion of the Special Town Meeting. The Moderator asked for a vote by a show of hands, motion carried, unanimously.

SPECIAL TOWN MEETING
October 21, 1993

The Special Town Meeting was called to order at the McCarthy Middle School Auditorium, at 7:41 PM, by the Moderator Dennis E. McHugh, who recognized the presence of a quorum.

Selectman Peter Lawlor moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously, by show of hands. Selectman Lawlor moved that the reading of the warrant be waived. It was so voted, unanimously, by show of hands.

UNDER ARTICLE 1 Selectman Peter V. Lawlor moved that the Town vote to transfer the sum of $12,500.00 from the sale of Graves and Lots to the Cemetery Improvement and Development Fund and vote to rescind Article 18 of the Spring Annual Town Meeting of 1993.

Town Manager, Bernard Lynch, explained that this is a standard article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The motion carried, unanimously, by way of a show of hands.

UNDER ARTICLE 2 Chairman of the Sewer Commission, John P. Emerson Jr., moved that the Town vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easements in Chelmsford, Massachusetts, Phase IIIA Sewers, prepared for the Chelmsford Sewer Commission, October, 1993" by Richard F. Kaminski and Associates, Inc., said plan to be presented at Town Meeting, for the purpose of constructing and maintaining Sewers, pumping stations, and all other appurtenances thereto.

Chairman of the Sewer Commission, John Emerson explained that this is a standard article that is required in order to implement the ongoing Sewer project. The Finance Committee recommended the article. The Board of Selectmen recommended the article. A 2/3's vote is needed. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 3 Selectman Peter V. Lawlor, moved that the town vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple with the trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford

LAW OFFICE OF
JAMES M. HARRINGTON
Attorney at Law

JAMES M. HARRINGTON
TONI-LYNNE RAFANELLI
VICTOR MANOUGIAN*

*ALSO ADMITTED IN NH

4 COURTHOUSE LANE
BUILDING A
CHELMSFORD, MA 01824

TELEPHONE (508) 458-4501

November 11, 1993

Mary St. Hilaire, Town Clerk
Town of Chelmsford
50 Billerica Road
Chelmsford, MA 01824

Re: Special Town Meeting
October 21, 1993

Dear Mary:

Please be advised that due to a scrivener's error, Article 1 of the Special Town Meeting on October 21, 1993 inadvertently referred to the Spring Annual Town Meeting of 1992 instead of 1993. The presentation and discussion on this Article on the floor of the Town Meeting referred correctly to rescinding Article 18 of the Spring Annual Town Meeting of 1993.

Kindly make the appropriate changes to the motion under Article 1 to correct this scrivener's error. Should you have any questions regarding this matter, please feel free to contact me.

Very truly yours,

James M. Harrington

James M. Harrington

JMH:lad

Massachusetts, and further described and shown on a set of plans entitled "land of Sidewalk Easement Davis Road, Chelmsford Ma prepared for the Town of Chelmsford October 1993, by Land Tech Consultants Inc., and "Plan of Sidewalk Easements North Road, Chelmsford, Ma prepared for the Town of Chelmsford October 1993" by Land Tech Consultants Inc., and Plan of Sidewalk Easement Crooked Spring Road, Chelmsford Ma prepared for the Town of Chelmsford, October 1993:, by Land Tech Consultants Inc., and "Plan of Sidewalk Easements s Old Westford Road, Chelmsford Ma prepared for the town of Chelmsford, October 1993" by Land Tech Consultants Inc., said plans to be presented at Town Meeting, for the purpose of constructing and maintaining sidewalks and all other appurtenances thereto.

Town Manager Bernard Lynch explained that in the past Capital Planning Money had been spent in studying the need for sidewalks located in a certain area. Now the project will begin, and this article allows the necessary action needed to proceed.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote, motion carried unanimously, by a show of hands.

The Moderator declared seeing that there was no further business the Special Town Meeting was closed, and that he would return to the recessed Annual Town Meeting. The Adjourned Annual Town Meeting resumed at 7:57 P.M.

UNDER ARTICLE 8 Town Manager Bernard Lynch, moved to withdraw this article. He explained that due to lack of communication on his part with the elected and appointed Town Boards on this article, he felt it was best to withdraw the article until detail explanation can be made regarding the purpose.

The Finance Committee was in favor of the motion to withdraw. The Board of Selectmen were also in favor. The Moderator asked for a vote, motion carried, unanimously, by a show of hands.

UNDER ARTICLE 9 Town Manager Bernard Lynch, moved that the Town vote to authorize the Town Manager and the Board of Selectmen to sell pursuant to the provisions of Massachusetts General Laws Chapter 30B Police Cruisers and Motorcycles and appropriate the sum of $30,000.00 from funds received from said sales towards the purchase of communication radios for the police department.

Town Manager Lynch explained that presently there was scheduled to be sold seven cruisers and four motorcycles or dirt bikes.

John Coppinger expressed concern of selling the motorcycles or dirt bikes. His neighborhood has had problems in the past with motorcycles or dirt bikes. When he called in a problem, he was told that due to lack of equipment the situation could not be pursued. Once the Police Department had acquired these motorcycles/dirt bikes, the situation was able to be put under control. He felt if these items were sold, the problems would start again. Acting Police Chief Armand Caron came forth and explained that the reason for selling the equipment is due to lack of manpower. If the Manager would agree, one of the motorcycles could be kept and if the manpower is available, then the officer will be able to pursue the issue. The Town Manager agreed to look into the situation further, he was unaware that there was still a possibility of a need. He asked for permission to proceed with

the passage of the article, and he and the Chief would certainly re-evaluate the need and see if it is justifiable, to keep one motorcycle. John Coppinger added that he would like to see the motorcycle manned. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The motion carried, unanimously, by a show of hands.

UNDER ARTICLE 10 John Emerson moved to waive the reading of the article. Motion carried unanimously by a show of hands. Acting Chief Armand Caron, came forth and explained the article. He has a clerk who spends twenty-five hours a week working with the alarms. There are over 500 house with alarms. This by-law is consistent with surrounding Cities and Towns. It will save time for the cruisers and will save money for the taxpayers. Dennis Ready asked if this list of alarm owners will be public. No it will not be. Sue Olsen asked if the position of Police Alarm Administrator will be a new position. No just a title given to the person already doing the work. Will this go into effect ninety days from tonight? No ninety days after the Attorney General approves the by-law. How will people know the by-law will be in effect. A mailing will go out to all the present alarm owners listed. Notices will be place in the daily and local paper. Questions were asked about what constitutes a false alarm. Acting Chief Caron explained that if the Police arrive at a home and cannot find any source of evidence that indicates break-in or forced entry then that will be considered a false alarm. After the third false alarm to the same address a fine will be issued because the homeowner must be made responsible to find the source of the false alarm. In most cases it has been found that after three false alarms the source is usually faulty wiring. Many questions took place regarding the term "Proprietary System" Alarms that are directly tied into the Police Station are no longer allowed. The usual response is by way of a phone call from the alarm company to the switchboard after all the safeguards have been met that indicate the need for the Police. Car alarms are not covered under this by-law. The Finance Committee was in favor of the article. The Board of Selectmen were in favor of the article. The Moderator asked if there was any more need for questions, hearing none he opened the floor to hear debate. Bradford Emerson moved the question to stop debate. Motion carried, unanimously, by a show of hands. The Moderator asked for a vote by way of a show of hands, motion carried. The article reads as follows:

Selectman Peter V. Lawlor, moved that the Town vote to amend the General By-law Article VI POLICE REGULATIONS by adding Section 23 Alarm Rules and By-Law Regulations as follows:

Section 23 **ALARM RULES AND BY-LAW REGULATIONS**

SECTION 1 - DEFINITIONS

A. Emergency Alarm System: The term "Emergency Alarm System" shall mean an assembly of equipment and devices, or a single device, arranged to signal a hazard or intrusion requiring urgent attention and to which police are expected to respond. In this By-Law, the term "Emergency Alarm System" shall include the terms, "Dial Alarm", "Direct Alarm", and "Local Alarm", as those terms are hereinafter defined.

Fire alarm systems and alarm systems which monitor temperature, humidity, and any other conditions not directly related to the

detection of an unauthorized intrusion into a premises, robbery or attempted robbery at a premises, are specifically excluded from the provisions of this By-Law.

B. Alarm Installation: The term "Alarm Installation" shall refer to the design, installation, repair, alterations and maintenance of systems designed to cause alarm to be sounded in the event of a burglary or robbery.

C. Person: The term "Person" shall refer to any natural person, corporation, unincorporated association, or other legal entity.

D. Alarm User: The term "Alarm User" shall refer to any person on whose premises an alarm system is maintained with the Town of Chelmsford, except for alarm systems on motor vehicles or proprietary alarm systems.

E. Proprietary System: The term "Proprietary System" shall mean all **alarm** systems sounding and/or recording alarm and supervisory signals at a control center located within the protected premises; the control center being under the supervision of the proprietor of the protected premises or his employees or agents. If a proprietary alarm system includes a signal line connected directly, or by means of a dialing device, to a central station or answering service, it thereby becomes an emergency alarm system as defined in this By-Law.

F. Answering Service: The term "Answering Service" shall mean a telephone answering service which provides the service of receiving emergency signals from alarm systems, and thereafter immediately relaying the message by live voice to the Chelmsford Police Department.

G. Central Alarm Station: The term "Central Alarm Station" shall mean any facility which is privately owned, that owns or leases alarm systems, whose facility is staffed by employees who receive, record, or validate alarm signals, and relay the information of such signals to the Chelmsford Police Department by any means.

H. Dial Alarm: The term "Dial Alarm" shall mean an alarm system which automatically selects a telephone line connected to the Chelmsford Police Department and reproduces a prerecorded voice message or coded signal indicating the existence of an emergency situation that the alarm system is designed to detect.

I. Direct Alarm: The term "Direct Alarm" shall mean any alarm system which is directly connected to the alarm processing unit within the police monitoring facility.

J. Local Alarm: The term "Local Alarm" shall mean any alarm system which may, or may not be connected to a central station or answering service, which when activated, causes an audible and/or visual signaling device at the premises within which the alarm system is installed.

K. Manual Alarm: The term "Manual Alarm" shall mean any alarm in which the activation of the alarm is initiated by the direct action of the alarm user, his agents, or employees, and is installed to elicit a police response to a burglary, attempted burglary, robbery or attempted robbery.

L. False Alarm: The term "False Alarm" means (1) the activation of an alarm system through mechanical failure, malfunction, improper installation, or negligence of the user of an alarm system or of his employees or agents; (2) any signal or oral communication transmitted to the Police Department requesting, requiring or resulting in a response on the part of the Police Department when, in fact, there has been no unauthorized intrusion or attempted unauthorized intrusion into a premises and no attempted robbery at a premises. Excluded from this definition are activation of alarm systems caused by power outages, hurricanes, tornadoes, earthquakes, or an alarm user who has no other means of eliciting an emergency response by the Police Department for valid emergency reasons.

M. Town: The term "Town" shall mean the Town of Chelmsford, Massachusetts.

N. Police Department: The term "Police" or "Police Department" shall mean the Town of Chelmsford Police Department, or any authorized agent thereof.

O. Police Chief: The term "Police Chief" shall mean the Chief of Police of the Town of Chelmsford or his designated representative.

P. Public Nuisance: The term "Public Nuisance" shall mean anything which annoys, injures, or endangers the comfort, repose, health or safety of any persons or any community or neighborhood.

Q. Permit: The term "Permit" shall mean written permission, duly granted to an applicant by the Town upon payment of the required fee.

R. Permit Year: The term "Permit Year" means a 12-month period, beginning January 1 and ending December 31 of each year.

S. Police Alarm Administrator: The term "Police Alarm Administrator" shall mean an employee of the Town whose responsibility is to coordinate the administration and documentation of alarm businesses and alarm systems as it relates to the effective enforcement of the provisions of this chapter.

SECTION 2 - ADMINISTRATIVE PROCEDURES

Within ninety (90) days from the effective date of this By-Law, every "Alarm User" shall make application for a permit which shall be required to maintain and/or operate an "Emergency Alarm System" within the Town of Chelmsford.

The Chief of Police is hereby authorized to issue a permit to any owner of property located within the Town of Chelmsford or the lesser thereof, to maintain, install and modify an alarm system upon application to him, and subject to the following provisions:

A. The alarm user, applying for the permit, shall provide to the Chief of Police the name, address, and current telephone number of at least two persons for one family residences and three persons for all other property, who will be available at all times for the purpose of responding to alarms, by personally appearing at the building protected following an

alarm of any kind.

B. The Chief of Police, upon application to him for a permit, shall, in his sound judgement, determine whether the application conforms to the requirements of this By-Law, that the facts stated therein are true and accurate; and he may cause such system to be inspected, to determine whether such system is reasonably operational.

C. All information obtained pursuant to this By-Law shall be kept confidential and shall be for the use of the Police Communications Center and the Police Alarm Administrator.

D. It shall be the responsibility of the permit holder to keep all information necessary for proper notification, with the Police Communications Center/Police Alarm Administrator, current and up to date.

E. A "Residential Permit" shall include all private dwellings, individual apartments, or condominium units, occupied primarily by the applicant, for which the applicant will pay to the Town of Chelmsford a permit fee of ten dollars ($10.00). The effective date will be January 1, 1994. Said effective date does not exempt the payment of said fee for previously installed systems.

F. A "Commercial Permit" shall include all businesses, corporations, or unincorporated associations for which the applicant will pay to the Town of Chelmsford a permit fee of fifteen dollars ($15.00).

G. All federal, state, county, or local government agencies who operate alarm systems shall be exempt from all permit fees and services charges, but shall comply with all other requirements of this By-Law, and with all requests of the Chief of Police, as shall concern the operation of their alarm systems.

H. All persons 65 years of age or older who are the principal occupant of the private residence listed on the application, shall also be exempt from all permit fees, but shall comply with all other requirements of this By-Law.

I. Applications for the renewal of an alarm user's permit shall be made every year within 30 days immediately preceding January 1, and shall be accompanied by a non-refundable fee of ten dollars ($10.00) for each application in behalf of a residential building and fifteen dollars ($15.00) for each application in behalf of a non-residential building.

J. A twenty-five dollar ($25.00) late charge will be charged in addition to the fees provided above, to an alarm user who is more than sixty (60) days delinquent in renewing a permit.

K. All alarm users to whom a permit has been issued, shall keep the permit within the protected premises for which the permit was issued.

L. Any alarm permit issued under this By-Law shall be made available for inspection, suspension, or revocation purposes, upon the demand of any authorized Chelmsford Police Officer.

M. Failure to comply with any of the provisions of this By-Law

may constitute grounds for the Chief of Police to deny the issuance of a permit, or suspend/revoke an existing permit.

SECTION 3 - CONTROL AND CURTAILMENT OF FALSE ALARMS

A. No alarm system designed to transmit emergency messages through relay to the Police Department shall be worked on, tested or demonstrated without notifying and obtaining permission from the Police Chief. Permission is not required to test or demonstrate alarm devices not transmitting emergency messages through relay to the Police Department. An unauthorized test constitutes a false alarm.

B. If in the event of any alarm, the Police Communications Center is unable to notify any listed representative of the alarm user, or if a representative of the alarm user fails to appear at the building protected within thirty (30) minutes after notification, the Police Communications Center shall not respond to any further alarms from that system until the alarm is reset by the alarm user or, in the case of a defective alarm system, until the alarm system has been repaired.

Whenever a representative of an alarm user fails to appear at the building protected, following an alarm within thirty (30) minutes after being notified by the Police Communications Center, the alarm user shall pay a charge of ten dollars ($10.00) in addition to any service charge assessed, for every such event, to the Town of Chelmsford. Violation of the provisions of this sub-section is sufficient cause for suspension/revocation of the Emergency Alarm System Permit required by Section 2 of the code of the Town of Chelmsford.

C. Any user of an alarm system, which transmits false alarms requiring a response from the Chelmsford Police Department, shall be assessed a service charge of twenty five dollars ($25.00) for each false alarm in excess of three (3) occurring within a thirty (30) day period.

Fees:
Third false alarm within a 30 day period.....$25.00 Fourth false alarm within a 30 day period.....$50.00
Fifth & subsequent false alarm within a 30 day period....$100.00

All service charges assessed hereunder shall be paid through the Police Alarm Administrator to the Town of Chelmsford Treasurer for deposit into the General Fund. Upon failure of an alarm user to pay the assigned service charge within thirty (30) days, a five dollar ($5.00) late fee shall be assessed and the total amount shall be payable within fifteen (15) days. Failure to remit payment due, within a total of forty-five (45) days from original notice shall result in the Chief of Police ordering the permit (for the premises recording the false alarm) revoked. Any such revocation shall be effectuate within ten (10) days from the date of mailing of the Police Chief's order.

D. After the Police Department has recorded three (3) separate false alarms within a calendar year from a particular alarm system, the Police Chief shall notify the alarm user, in writing, of such fact and require said alarm user to submit, within ten (10) days after receipt of said notice, a report

describing efforts to discover and eliminate the cause(s) of the false alarms. If the alarm user, on the basis of absence from the Town, or on any other reasonable basis, requests an extension of time for filing the report, the Police Chief may extend the ten (10) day period for a reasonable time. If the said alarm user fails to submit such a report within ten (10) days or within any such extended period, the Police Chief may order the alarm permit (for the premises recording the three (3) false alarms) suspended until the alarm system is made to function properly. Any such order of suspension shall be preceded by a written notice of intent to the alarm user by the Police Chief. Any such suspension shall be effectuated ten (10) days from the date of mailing of the Police Chief's notice, if no hearing is requested.

E. In the event that the Police Chief determines that a report submitted is unsatisfactory or the alarm user has failed to show by the report that he has taken or will take reasonable steps to eliminate or reduce false alarms, then the Police Chief shall order the alarm permit (for the premises recording the three (3) false alarms) suspended until the alarm system is made to function properly. Any such order of suspension shall be preceded by a written notice of intent to the alarm user by the Police Chief. Any such suspension shall be effectuated within ten (10) days from the date of mailing of the Chief's order.

F. In the event that the Police Department records five (5) false alarms within a calendar year from a particular alarm system, the Police Chief may order the permit for said alarm system be suspended for a period of not less than six (6) months from the date the alarm system is disconnected. Any such order of suspension shall be preceded by a written notice of intent to the alarm user by the Police Chief. Any such suspension shall be effectuated within ten (10) days from the date of mailing of the Police Chief's order.

G. Upon receipt of a notice of intent to revoke or suspend an alarm user's permit, pursuant to this By-Law, the alarm user may, within five (5) days of such receipt, submit a written request for a hearing before the Chief of Police or his designee, setting forth the reasons why the permit should not be revoked or suspended.

H. At the hearing before the Chief of Police or his designee, the holder of the permit shall have the right to present evidence, cross-examine witnesses and to be represented by counsel. Such a hearing shall be informal and shall not be subject to the rules of evidence or formal courtroom procedure. After the hearing, the Chief of Police or his designee may either issue an order of revocation, withdraw the notice of revocation, or suspend the permit until such time that he is satisfied that the cause (or causes) of the false alarms has (or have) been eliminated.

I. Any alarm user who has, in accordance with this section, had their alarm permit revoked/suspended by the Police Chief may appeal the order of revocation/suspension to the Board of Selectmen. An appeal shall be filed within five (5) days of the date of the order of revocation/suspension. Thereafter, the Board shall consider the merits of the appeal, and in connection therewith shall hear evidence presented by all parties concerned. After hearing such evidence the Board may

affirm, vacate, or modify the order of revocation/suspension.

J. An alarm user whose permit has been revoked, is not precluded under this By-Law from applying for a new permit unless he is satisfied that the user's system has been properly services and its deficiencies corrected. The Chief of Police may also impose reasonable restrictions and conditions upon the user before issuing a new permit. (These restrictions and/or conditions shall appear on the permit and shall provide for automatic revocation occurrence of two (2) false alarms in the remaining permit year.)

K. Any alarm user, central station, answering service or proprietary system, who does not possess an alarm user's permit, or whose permit has been suspended, revoked or denied, transmits by any means to the Chelmsford Police Department an alarm signal from their respective system, shall be charged a twenty-five dollar ($25.00) service fee for each signal eliciting a response from the Police. This service fee shall be separate from any fines which may be assessed by the Court upon a finding of a violation of this By-Law.

L. Any alarm user, owner, or lessee who possess an alarm user's permit may appeal false alarm service charges in writing to the Chief of Police within ten (10) days after receipt of the notice of penalty.

M. The Chief of Police or his designee may waive assessment of the service charge, when, in his judgement, reasonable attempts are being taken to discover and eliminate the cause of the false alarm.

N. Any alarm user who, after having a permit revoked and after exhausting his right to a hearing, fails to disconnect his alarm system, shall be guilty of a violation, and upon conviction, shall be fined not less than one hundred dollars ($100.00).

SECTION 4 - ABATEMENT OF NUISANCE ALARMS

A. All alarm systems as defined in this By-Law which make or sound an audible signal which may be heard outside of the protected premises, shall be equipped with a device which shall limit the duration of such audible signal to not more than twenty (20) minutes.

B. Any alarm system emitting a continuous and uninterrupted audible signal for more than twenty (20) minutes between 7:00 P.M. and 7:00 A.M. which cannot be shut off, reset or otherwise curtailed due to the absence of unavailability of the alarm user or those persons designated by him and which disturb the peace, comfort or repose of a community, a neighborhood, or inhabitants of the area where the alarm system is located, shall constitute a public nuisance. Upon receiving complaints regarding such a continuous and uninterrupted audible signal, the Police Communications Center shall endeavor to contact the alarm user, or members of the alarm user's family, or those persons designated by the alarm user in an effort to abate the nuisance. The Police Chief shall cause to be recorded the names and addresses of all complainants and the time each complaint was made.

C. In the event that the Police Chief is unable to contact the alarm user, or members of the alarm user's family, or those persons designated by the alarm user or if the aforesaid

persons cannot or will not curtail the audible signal being emitted by the alarm system, and if the Police Chief is otherwise unable to abate the nuisance, he may direct a Police Officer or a Fire Fighter or a qualified alarm technician to enter upon the property, outside the home or building in which the alarm system is located and take any reasonable action necessary to abate the nuisance.

D. If entry upon property outside the home or building in which the alarm system is located is made in accordance with this section, the person so entering upon such property: (1) shall be considered lawfully present but may not conduct any search, seizure, inspection, or investigation while he is upon the property; and (2) shall not cause any unnecessary damage to the alarm system or to any part of the home or building; and (3) shall leave the property immediately after the audible signal has ceased. After an entry upon property has been made in accordance with this section, the Police Chief shall have the property secured, if necessary. The reasonable costs and expenses of abating a nuisance in accordance with this section may be assessed to the alarm user, said assessment not to exceed expenses incurred by the Town.

E. Within ten (10) days after abatement of a nuisance in accordance with this section, the alarm user may request a hearing before the Chief of Police and may present evidence showing that the signal emitted by his alarm system was not public nuisance at the time of the abatement; that unnecessary damage was caused to his property in the course of the abatement; that the costs of the abatement should not be assessed to him; or that the requirements of this section were not fulfilled. The Chief shall hear all interested parties and may, in his discretion, reimburse the alarm user for the repairs to his property necessitated by the abatement, or excuse the alarm user from paying the costs of the abatement.

SECTION 5 - ADMINISTRATION OF PROGRAM

The Chief of Police shall establish a written procedure for the administration and enforcement of the provisions of this By-Law.

In January of each year the Chief of Police shall submit a report to the Town Manager regarding the effectiveness of this By-Law and any recommendations thereon.

The Police Department of the Town of Chelmsford shall take every reasonable precaution to assure that the alarm signals and alarm messages received by the Police Department are given appropriate attention and are acted upon with dispatch. Nevertheless, the Police Department shall not be liable for any defects in the operation of alarm devices, for any failure or neglect to respond appropriately upon receipt of an alarm from such source, nor for the failure or neglect of any person or in connection with the installation and operation of alarm systems or their components, the transmission of alarm signals and prerecorded messages, or the relaying of such signals and messages. In the event that the Police Department finds it necessary to disconnect an alarm device after exhausting all other provisions of the By-Law, the Police Department shall incur no liability by such action.

SECTION 6 - ALARMS NOT ALLOWED

Dial alarms and direct alarms are not allowed.

SECTION 7 - PENALTIES

have six years of experience on the force in order to be considered. The Finance Committee recommended the motion to amend the motion. The Board of Selectmen recommended the motion to amend the motion. The Moderator asked for a show of hands, motion carried, unanimously. More discussion took place. Sergeant James Murphy expressed the Superior Officers view on the article, and asked that the position not be removed from Civil Service, he asked that the article be defeated. Jacob Sartz spoke against the article. Barry Balan moved to stop debate. The Moderator asked for a show of hands, motion carried, unanimously. He then asked for a show of hands on the motion as amended, motion carried, unanimously. More discussion took place on the main motion as amended. Dennis Ready spoke in favor of the article as amended. Scott Ubele, President of the Police Union spoke against the article, the morale of the union members should be considered. The Officers will be affected the most. He asked the Body to vote against it. Paul Gleason spoke in favor. Selectman Richard DeFreitas spoke in favor. Samuel Poulten spoke against the article. Susan Gates questioned why did the union take a vote of confidence against the past Chief if they knew that under Civil Service he couldn't be dismissed? Wouldn't they've been better off if the Town Manager could have stepped in, maybe the situation could have been alleviated? Philip Currier moved the question to stop debate. The Moderator asked for a show of hands, motion carried. The Moderator asked for a show of hands on the article as amended. Motion carried, and the article reads as follows:

Town Manager Bernard Lynch, moved that the Town vote to authorize the filing of special legislation with the General Court of Massachusetts to exempt the positions of police chief from the provisions of chapter thirty-one of the General Laws as follows:

<u>An Act Exempting the Position of Chief of Police of Chelmsford from Civil Service</u>

Be it enacted by the General Court of Massachusetts,

<u>Section 1.</u> The position of police chief in the Town of Chelmsford shall be exempt from the provisions of chapter thirty-one of the General Laws.

<u>Section 2.</u> The provisions of Section One shall not impair the Civil Service status of any rank below the rank of Police Chief.

<u>Section 3.</u> The Town Manager shall provide an employment contract with any person appointed to the Office of Police Chief for a period not to exceed three years.

<u>Section 4.</u> The Town Manager, prior to making a search for candidates for the office of Police Chief shall consider qualified applicants from the uniformed members of the Chelmsford Police Department who shall have served no less than six years.

<u>Section 5.</u> This act shall take effect upon its passage.

Edward Cady moved to reconsider article 10. He felt that more explanation was needed before passing the by-law. The Finance Committee was not in favor of reconsideration. The Board of Selectmen were not in favor of reconsidering. The Moderator asked for a show of hands, motion defeated.

It shall be unlawful for any person or alarm user to maintain or operate an alarm system, as defined by the terms of this By-Law, without first obtaining a permit as provided.

Any person or alarm user who does maintain or operate an alarm system without a permit shall be guilty of a violation, and upon conviction, shall be fined not less than fifty dollars ($50.00).

Any alarm user who, after having a permit suspended/revoked and after exhausting their right to a hearing, fails to disconnect the alarm system, shall be guilty of a violation, and upon conviction, shall be fined not less than one hundred dollars ($100.00).

UNDER ARTICLE 11 Town Manager Bernard Lynch, moved that the Town vote to transfer and appropriate from the 1991 Transportation Bond Issue as set forth in Chapter 33 of the Acts of 1991, the sum of $479,646.00 for the purpose of Chapter 90 expenditures.

Town Manager Bernard Lynch explained that Chapter 90 money is money received from the State for road reconstruction and resufacing projects. This article is similar to the one that appeared on the spring warrant. This is the second installment from the 1991 Bond issue. This approval is needed in order to access the money at State level in order to comply with State and Federal laws. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 12 Town Manager Lynch gave a presentation to the Town Meeting Body indicating the need to exempt the Chief of Police from Civil Service. The Town accepted Civil Service for its Police Chief and Police Department in 1944, and has been operating the same way since. In 1978 a management study of the Police Department was done. This was called the Sheehan Report. The Report looked at the Department's strengths and weaknesses and recommended changes to be made in order to make the Department more professional on it's law and order approach and crime prevention. It's purpose was to eliminate any possible problems in the future. The report indicated that once appointed through the Civil Service System, the Chief of Police maintains the position until death or retirement. The report recommended that once the incumbent Chief completes his service then a national search be conducted for his successor. The Town Manager explained that currently there is no removal process available. If this position was removed from the Civil Service System then the Town Manager would be allowed to appoint an individual when need be or dismiss an individual if an unsatisfactory job was being done. He would most likely follow many of the guidelines of the Civil Service process in his selection but he would expand the qualifications requirements, require assessment evaluation. He gave a list of forty-eight cities and towns that have exempted the Chief of Police from the Civil Service process. One hundred and eight communities out of three hundred and fifty-one cities and towns have Police Chiefs under Civil Service. According to some information he had, nation wide 2/3's of the Police Chiefs are under Civil Service, however, he feels that the percentage is really the Police Departments themselves not the Chief. He does not want to take the Police Department out of Civil Service, just the Manager of the Department, which is the Chief. He cited that there are a number of flaws in the current Civil Service process. Three years ago the system was scaled down. Once there were two hundred workers, now there is less than one hundred. There are only two people who are qualified and designated to deal with the

examination of all public safety personnel both in the Fire and Police Departments, plus the one hundred and eight Police Chiefs. Currently there are two types of exams, Promotional which allows those within the department to apply. And Open, which allows any one within the State of Ma to apply. In either case only the top three people are selected and put on a list from which the choice is made. Sometimes people receive higher marks by being allowed extra points due to being an veteran. It could take up to one year to fill the position through this process. He feels that the Civil Service way of choosing is not necessarily in the best interest of the Town. He asked for support of the article.

A number of questions were asked. How many other management positions are under Civil Service? This is the only one. Who would be responsible for the removal of a Chief? The Town Manager is, he appoints and removes. When the Town Manager makes this appointment or any other according to the Charter the Board of Selectmen have two weeks to veto the appointment, or they can approve it. What would the grounds be for dismissal? The Town Manger explained that the individual would have a contract, and within the contract would be the grounds for dismissal and the process for dismissal. Scott Ubele wanted to know of the forty eight town's shown that now have an appointed Police Chief, if any consultation had been made in regards to morale within the ranks of the Police Department. The Town Manager explained that he either spoke to the actual appointed Chief or the Manager. Dennis Ready wanted to know how the salary would be determined. The salary would be based on the present classification plan in effect based on the level of responsibilities etc. What would be the cost for the nation wide search. The Town Manager estimated that the cost for the advertisement would run between $500.00 to $1,000.00. The assessment evaluation could be $3,000.00 to $4,000.00. Plus if anyone comes in from out of Town there is the cost of hotel rooms. The Finance Committee recommended the article. The Board of Selectmen supported the article. Edward Marshall spoke in favor of the article, he felt that accountability was a big factor. John Emerson voted to amend the article by deleting 2 and insert the following:

Section 2. The provisions of Section One shall not impair the Civil Service status of any rank below the rank of Police Chief. Add a new section 3 and 4 as follows:

Section 3. The Town Manager shall provide an employment contract with any person appointed to the Office of Police Chief for a period not to exceed three years.

Section 4. The Town Manager, prior to making a search for candidates for the office of Police Chief shall consider qualified applicants from the uniformed members of the Chelmsford Police Department who shall have served no less than three years.

Change the present section 3 to read section 5.

John Emerson then explained his reason for the amendments. The Finance Committee was not in favor of the motion to amend. The Board of Selectmen and Town Manager Bernard Lynch were in favor of the motion to amend. It was questioned if someone could hold Civil Service status and be Police Chief. Yes, however, there was a time factor of only five years on hold. After that the person has to start all over again. Bradford Emerson moved to amend the amendment by changing in John Emerson's section 4 the word three years to six years. He felt that the person should

UNDER ARTICLE 13 John P. Emerson Jr, moved that the Town vote to amend the Chelmsford Sewer Commission Betterment Assessments and Sewer Privilege Fees dated September 8, 1986, revised April 1988 and April 23, 1990 by adding the following section:

5.4 Sewer Connection Charge

The Commission shall assess a sewer connection charge to the owners of land abutting a sewer line owned by the Town of Chelmsford for those properties that cannot be assessed a sewer betterment or privilege fee. This charge shall be made in lieu of a betterment assessment or privilege fee in an amount equal to the amount that would have been assessed under either Section 3 or Section 5, whichever is deemed appropriate by the Commission.

Sewer connection charges shall be levied at the time of connection to the public sewer system. Section 4.2 and 4.5 of these regulations shall govern a property owner's method of payment.

Chairman of the Sewer Commission, John P. Emerson explained that right now the State only allows the Sewer Commission to charge for privilege fees and betterment fees. This would allow the Sewer Commission to charge connection fees on privately installed sewer extension lines.

The Finance Committee recommended the article. The Board of Selectmen supported the article. The Moderator asked for the need of further discussion, hearing none, he asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 14 Thomas Firth moved that the Town vote to see if the Town of Chelmsford will accept Massachusetts General Laws Chapter 59, Section 5, Clause 41A which currently permits local assessors to grant total or partial deferrals from real estate taxes to persons 65 or older, providing they have signed a "tax deferral and recovery" agreement with the municipality, and have qualifying gross receipts from all sources of not more than $40,000.00.

Sandra Hall petitioner of the article explained that currently the town allows for deferrals, however the income figure is $20,000. She felt that $40,000.00 was an reasonable income, but if the article would be amended to read $30,000. or $35,000. that would be acceptable. She felt that there was a definite need for some type of increase. Questions were asked concerning the effect this would have. It was explained that once a deferral is signed the property owner's would not have to pay any real estate taxes until the house is sold. A lien is placed on the property and there is an 8% interest charge for each year owed in back taxes. It is a State law that the accrued taxes due can not exceed 50% the value of the house. The Moderator asked for the Finance Committee's recommendation. Chairman Dwight Haywood stated that the Committee had no recommendation at this time. The Board of Selectmen were in favor of the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 15 (allow in-law apartments in all residential districts of Chelmsford.) The Moderator asked if the petitioner Catherine Vessie was present? No one came forward. He then explained that due to having no signed motion on this article, no

action could be taken. The article was going to be dismissed. He also noted that Town Counsel had advise him even if the motion was signed, the article was contradictory and it would not be allowed to be acted on unless a re-draft was submitted. Selectmen Peter Lawlor moved to dismiss the article. Motion carried unanimously by a show of hands.

UNDER ARTICLE 16 Town Manager Bernard Lynch, moved that the Town vote to instruct the Board of Assessors to issue the sum of $248,072.00 from Free Cash in the Treasury for the reduction of the tax rate.

Town Manager Lynch, explained that this reflects a savings in the Solid Waste Program from last year and will be used to reduce taxes. It represents a $20.00 reduction in taxes. Bill Dalton question if the books are balanced and closed out, if not then how could this be done? The Town Manager said they were, and that the Town has a certified free cash number from the Department of Revenue. Dwight Haywood, Chairman of the Finance Committee said that the Town couldn't be free cash certified unless the books are closed. The Moderator asked for the Finance Committee's recommendation. Chairman Dwight Haywood, stated that the Finance Committee was in favor of the article, however, people should be aware that the Town is not taxing up to it's levy limit, because of this, the State would regard the Town as being a wealthy community. The Board of Selectmen recommended the article. James Sousa stated perhaps the money could be used for an capital expenditure item, the Town is ducking the tax levy issue and that this issue should be looked at in the future. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Seeing that there was no further business at hand, the Moderator moved to adjourned the meeting sine die. Motion carried unanimously. The Meeting adjourned at 10:40 PM.

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Dennis E. McHugh,
Moderator

_____

Mary E. St.Hilaire,
Town Clerk

RECAP OF ARTICLES

ART #	DATE	BOARD/COMM	AMOUNT	R&A	TRANS REDUCE TAX RATE	TRANS FREE CASH	TRANS AVAIL FUNDS	TRANS OFFSET REC	BORROWING	BY-LAW/ACTS MISC.
*= Special Town Mtg										
Fall ATM 10-18-93										
2	10-18	Twn Mgr (bills)	$9,917.00	$9,917.00	$0.00	$0.00	$0.00	$0.00	$0.00	
3	10-18	Twn Mgr (sch Bud)	$1,230,733.00	$1,230,733.00	$0.00	$0.00	$0.00	$0.00	$0.00	
4	10-18	Twn Mgr (Nas Bud)	$9,513.00	$9,513.00	$0.00	$0.00	$0.00	$0.00	$0.00	
5	10-18	Petition by-law	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	rezone Chelm St
8	10-21	Twn Mgr By-law	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	**General w/drawn**
9	10-21	Police (sales)	$30,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$30,000.00
10	10-21	Police Alarm B-law	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	General Police
11	10-21	Chapt 90	$479,646.00	$0.00	$0.00	$0.00	$0.00	$0.00	$479,646.00	
13	10-21	Sewer	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	amend bettmts
14	10-21	Assessors	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	Ch 59 sec 5 - 41A
15	10-21	Petition By-law	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	**inlaw Apt w/drawr**
16	10-21	Assessors	$248,072.00	$0.00	$248,072.00	$0.00	$0.00	$0.00	$0.00	
*1	10-21	Cemetery	$12,500.00	$0.00	$0.00	$0.00	$12,500.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
			$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
		TOTAL	$2,020,381.00	$1,250,163.00	$248,072.00	$0.00	$12,500.00	$0.00	$479,646.00	$30,000.00

This is to certify that the above information is correct. Dated____________

$2,020,381.00

____

Finance Dir/Treas.

____

Town Accountant

WARRANT FOR ANNUAL
TOWN ELECTION APRIL 5, 1994

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ:

Precinct 1.	Town Office Building Gymnasium
Precinct 2.	Harrington Elementary School Gymnasium
Precinct 3.	Harrington Elementary School Gymnasium
Precinct 4.	Westlands School Cafetorium
Precinct 5.	Byam School Cafetorium
Precinct 6.	Westlands School Cafetorium
Precinct 7.	McCarthy Middle School, Small Gymnasium
Precinct 8.	McCarthy Middle School, Small Gymnasium
Precinct 9.	Town Office Building Gymnasium

On Tuesday, the 5th day of April, 1994 being the first Tuesday in said month at 10:00 a.m. until 8:00 p.m. for the following purposes:

To bring in their votes for the following officers:

Two Selectmen for three years;

One School Committee Member for three years;

Two Members of Public Library Trustees for three years;

One Member of Board of Health for three years;

One Member of Board of Health for an unexpired two year term;

Three Planning Board Members for three years;

One Sewer Commissioner for three years;

One Cemetery Commissioner for three years.

and to vote on the following question:

QUESTION 1

Shall the Town approve the Charter Amendment proposed by the April 26, 1993 Annual Town Meeting summarized below?

Yes ____
No ____

Summary: If adopted the proposed amendment would provide an appeal procedure in the event that a Town Meeting Member fails to attend more than one-half of the Town Meeting Sessions held in a calendar year. The text of the proposed amendment appeared under Article 11 of the April 26, 1993 Annual Town Meeting and was unanimously approved by the Town Meeting Representatives

and to bring in their votes for the following:

Fifty-four Representative Town Meeting members; six representatives per precinct for a three year term.

One representative Town Meeting Member for an unexpired two year term in Precinct 5.

One Representative Town Meeting Member for an unexpired two year term in Precinct 9.

The polls will be open from 10:00 a.m. until 8:00 p.m.; and to meet in the Senior Center, Groton Road North Chelmsford, on Monday, the twenty-fifth day of April, at 7:30 p.m. in the evening, then and there to act upon the following articles, VIZ:

Article 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

Board of Selectmen

Article 2. To see if the Town will vote to Transfer and appropriate from available funds the sum of $300,000.00 for the purpose of funding Line Item 29 Undistributed Expenses - Employee Benefits of the 1994 Fiscal Year Budget; or act in relation thereto.

Town Manager

Article 3. To see if the Town will vote to raise and appropriate or borrow a certain sum of money for the purpose of renovating the Center School for use as an Educational Facility; or act in relation thereto.

Town Manager

Article 4. To see if the Town will vote to protect and preserve the existing Town Common by prohibiting the building or placement of any additional structures on this important historical land or act in relation thereto.

Petition

Article 5.. To see if the Town will vote to amend the Chelmsford Home Rule Charter under Part VIII Transitional Provisions, Section 8-5(l) Time of Taking Effect, by deleting the following:

(l) The sewer commission shall cease to exist and be dissolved on January 1, 2005 and all duties, powers, functions and assets shall be assigned to the department of public works or its successor agency.

and add the following as Part VIII, Section 8-5(l):

(l) The Sewer Commission shall cease to exist and be dissolved upon completion of the sewer project at which time all duties, powers, functions and assets shall be assigned to the department of public works or its successor agency;

or act in relation thereto.

Sewer Commission

Article 6. To see if the Town will vote to amend the General By-Laws Article XI General Wetland By-Law Section 1. Applications by deleting the last sentence of the second paragraph and inserting the following in its place:

"Provided however that the construction of any building as defined herein on any lot having an area of 40,000 square feet or more, shall be prohibited within fifty (50) feet of any bank, fresh water wetland, beach, flat, marsh, meadow, bog, swamp, or lands bordering or on any estuary, creek, river, stream, or lake or any land under said waters and any parking lot as defined herein on any lot having an area of 40,000 square feet or more, shall be prohibited within twenty-five (25) feet of any bank, fresh water wetland, beach, flat, marsh, meadow, bog, swamp, or lands bordering or on any estuary, creek, river, stream, or lake or any land under said waters."; or act in relation thereto.

Conservation
Commission

Article 7. To see if the Town will vote to amend the General By-Laws Article XI General Wetlands By-Law Section 16 Definitions subsection (e) by adding the following sentence:

"The boundary of these wetlands is the line within which fifty (50) percent or more of the vegetation consists of wetland plant species as set forth in Massachusetts General Laws Chapter 131, Section 40 and in situations where a dispute exists the line within which the soil conditions meet the technical criterion of a hydric soil as defined by currently approved Army Corps of Engineers delineation manual."; or act in relation thereto.

Conservation
Commission

Article 8. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land on 13 Harold Street, shown as Lot 24 on Assessor's Map 132, containing 25,170 square feet more or less; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6218, Page 66; or act in relation thereto.

Board of Selectmen

Article 9. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land on 11 Harold Street shown as Lot 25 on Assessor's Map 132, containing 29,060 square feet more or less; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6218, Page 67; or act in relation thereto.

Board of Selectmen

Article 10. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land on University Lane, shown as Lot 26 on Assessor's Map 133, containing 1.5 acres more or less; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6250, Page 134; or act in relation thereto.

Board of Selectmen

Article 11. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land on University Lane shown as Lot 45 on Assessor's Map 133, containing 2.15 acres more or less; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6250, Page 135; or act in relation thereto.

Board of Selectmen

Article 12. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land on South Row Street shown as Lot 25 on Assessor's Map 141, containing 15,000 square feet more or less; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6250, Page 136; or act in relation thereto.

Board of Selectmen

Article 13. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land on Dover Street shown as Lot 28 on Assessor's Map 45, containing 5000 square feet more or less; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2153, Page 301; or act in relation thereto.

Board of Selectmen

Article 14. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land on Billerica Road shown as Lot 5 on Assessor's Map 119, containing 1.26 acres more or less; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6761, Page 165; or act in relation thereto.

Board of Selectmen

Article 15. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town in a certain parcel of land off Second Street shown as Lot 32 on Assessor's Map 130, containing 4127 square feet more or less; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6933, Page 38; or act in relation thereto.

Board of Selectmen

Article 16. To see if the Town will vote to appoint a committee to consist of one Town Meeting Representative from each precinct to be elected by the Representatives of that precinct for the purpose of conducting a study and preparing a report of recommendation to the Town Meeting to increase the accountability of Town Meeting Representatives. These recommendations may take the form of proposed amendments to the General Bylaws or Charter as deemed appropriate. The report to be presented at the Fiscal 1995 Fall Annual Town Meeting; or act in relation thereto.

Petition

Article 17. To see if the Town will vote to petition the Great and General Court of the Commonwealth of Massachusetts to adopt Special Legislation pertaining to the Town of Chelmsford as follows: AN ACT ESTABLISHING A TOURISM PROMOTIONS FUND IN THE TOWN OF CHELMSFORD. Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of section fifty-three of chapter forty-four of the General laws or any other general or special law to the contrary, the Town of Chelmsford is hereby authorized to establish in the town treasury a special account to be known as the "Tourism Promotions Fund," into which account may be deposited certain receipts which comprise a portion of the total local room occupancy tax received annually by the town under the provisions of section three A of Chapter sixty-four G of the General Laws.

SECTION 2. For the purposes of establishing the portion of the local room occupancy tax that may be deposited in the Tourism Promotion Fund, the town is hereby authorized to deposit, commencing during the fiscal year nineteen hundred and ninety-five, up to twenty-five percent of all local room occupancy tax receipts; in fiscal year nineteen hundred and ninety-six, up to thirty-five percent of all receipts from said tax; in fiscal year nineteen hundred and ninety-seven, up to forty-five percent of all receipts from said tax; and in each fiscal year subsequent to fiscal year nineteen hundred and ninety-seven, up to forty-five percent of all local room occupancy tax receipts may be deposited in said fund. All interest earned from said fund shall be treated as general fund revenue of the Town of Chelmsford. The exact percentage of funds to be designated each fiscal year shall be determined by vote of Town Meeting at the Spring Annual Town Meeting.

SECTION 3. There is hereby established in the town of Chelmsford a visitor services board consisting of five members to be appointed by the Town Manager as follows: one member nominated by the Chelmsford Business Association, Inc., one member nominated by the Regional Visitors Council, and three members at-large. If any of the organizations with nominating privileges hereunder cease to exist or operate, the Town Manager may appoint in place of such nominees individuals qualified to serve on said visitor services board as appointees at-large. The Town Manager shall fill any vacancies in said visitor services board in a like manner.

SECTION 4. The visitor services board shall recommend to the Spring Annual Town Meeting, commencing with the nineteen hundred and ninety-five spring town meeting, programs and projects that enhance the beautification, recreational resources, public safety, promotional and marketing activities, events, services, and public improvements which are of clear mutual interest to the residents and visitors to the Town of Chelmsford and which strengthen said town as an attractive center for tourism, conventions, and related purposes of the visitor industry. The cost of such programs shall not exceed the funds available in the Tourism Promotions Fund, and shall be allocated by vote of the Town Meeting as follows: no less than ten percent and no more than forty percent of said Tourism Promotions Fund shall be used for public improvements including beautification, recreational resources, and public safety related to the mutual needs of visitors and residents with the balance available for promotional programs and projects.

SECTION 5. Upon approval by town meeting of the programs, services and other projects set forth under section four of this act, the visitor services board with the approval of the town manager shall be empowered to expend from said special revenue fund for the uses authorized by town meeting and may for the purposes of this section designate funds to be expended under the direction of the Chelmsford department of public works or other town agency as applicable; or obtain competitive proposals or bids for any services, programs or projects to be provided to the town by vendor contracts, all in accordance with the requirements of chapter thirty B of the General Laws or any other general law governing public bidding and procurement as may apply to the program or project. Any and all contracts for services, programs and projects authorized hereunder shall be awarded and executed by the town manager on the recommendation of the visitor services board, subject to compliance with applicable procurement laws of the commonwealth.

or act in relation thereto;

Town Manager

Article 18. To see if the Town will vote to accept the provisions of Section 83 of Chapter 71 of the Acts of 1993, as amended, known as the "Education Reform Act of 1993," to provide for an Early Retirement Incentive Program for the members of the Massachusetts Teachers' Retirement System employed by the Chelmsford Public Schools, with said program to include a five year additional credit for age, service, or a combination thereof and limited to those members who have met application requirements; or act in relation thereto.

School Committee

Article 19. To see if the Town will vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Engineer:

1. Kelshill Road
2. Rhum Circle
3. Minuteman Drive
4. Doris Drive
5. Shedd Lane
6. McHugh Farm Lane
7. Waterford Place

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and to see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and to see if the Town will vote to raise and appropriate, transfer and appropriate from the Stabilization Fund, and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and to see if the Town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto; or act in relation thereto.

Board of Selectmen

Article 20. To see if the Town will vote to transfer and appropriate from available funds or transfer and appropriate from the 1991 Transportation Bond Issue as set forth in Chapter 33 of the Acts of 1991, a certain sum of money for the purpose of Chapter 90 expenditures; or act in relation thereto.

Town Manager

Article 21. To see if the Town will vote to transfer a certain sum of money from the sale of the Graves and Lots to the Cemetery Improvement and Development Fund; or act in relation thereto.

Cemetery Commission

Article 22. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money with which to meet bills from previous years; or act in relation thereto.

Town Manager

Article 23. To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 53D "Recreation and Park Self-Supporting Service Revolving Funds"; or act in relation thereto.

Recreation
Commission
Town Manager

Article 24. To see if the Town will vote to transfer a certain sum of money from Conservation fees under Wetlands Special Reserve Fund to reduce the Conservation Commission Budget Fiscal Year 1995; or act in relation thereto.

Town Manager
Conservation
Commission

Article 25. To see if the Town will vote to transfer a certain sum of money from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 1995 Budget; or act in relation thereto.

Town Manager
Sewer Commission

Article 26. To see if the Town will vote to raise and appropriate such sums of money as may be required to defray Town charges for the fiscal period July 1, 1994 to June 30, 1995; or act in relation thereto.

Town Manager

Article 27. To see if the Town will vote to raise and appropriate or transfer from available funds, a certain sum of money for the purpose of funding the sand lease approved by the Town under Article 12 of the 1989 Annual Town Meeting; or act in relation thereto.

Town Manager

Article 28. To see if the Town will vote to raise and appropriate, or transfer and appropriate from available funds, a certain sum of money to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford; or act in relation thereto.

Town Manager

Article 29. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws Chapter 40, Section 6; or act in relation thereto.

Town Manager
Finance Committee

Article 30. To see if the Town will vote to appropriate a certain sum of money for the following capital projects:

DEPARTMENT	ITEM	BUDGET
Police	Four (4) Cruisers	$ 65,000.00
School Dept.	Auditorium Remodeling	$ 30,000.00
	Baseball Field Fencing	$ 15,000.00
	Water Back-flow Prevention	$ 12,000.00
	Fire Alarm & Fire Doors	$ 30,000.00
	Handicap Access	$ 25,000.00
	Central Office Main Computer	$150,000.00
	Computer Lab Middle School	$ 50,000.00
	Lockers McCarthy	$ 15,000.00
	Floor McCarthy	$ 40,000.00
	HVAC Replacement	$ 30,000.00
	Sewer Connection	$ 15,000.00
	Library Furniture	$ 15,000.00
Data Processing	Equipment & Software	$100,000.00
D.P.W.	Road Maintenance	$200,000.00
	Dump Truck with Sander	$ 60,000.00
	One Ton Truck Parks Dept.	$ 30,000.00
	TOTAL	**$882,000.00**

and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, and/or borrow a certain sum of money to fund these obligations; or act in relation thereto.

Board of Selectmen
Town Manager
Capital Planning
Committee

Article 31. To see if the Town will vote to instruct the Board of Assessors to issue a certain amount of money from Free Cash in the Treasury for the reduction of the tax rate; or act in relation thereto;

Board of Selectmen
Town Manager

Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

Given under our hands this 21st day of March, A.D., 1994

BOARD OF SELECTMEN TOWN OF CHELMSFORD

Richard E. DeFreitas, Chairman

Peter V. Lawlor, Vice Chairman

Robert P. Joyce, Clerk

Jeffrey A. Brem

William R. Logan

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
ANNUAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Annual Town Meeting of April 25, 1994:

Thursday, April 28, 1994 at 7:30 p.m.

Monday, May 2, 1994 at 7:30 p.m.

Thursday, May 5, 1994 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meeting is concluded.

Pursuant to General By-Laws Article II, Section 4.10 Notice these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. MARCH 22, 1994

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafetorium, Byam School Cafetorium, Westland School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium and Town Office Building Gym, and Town Office Building Lobby.

Signed:
William E. Spence

William E. Spence
Constable

A True Copy Attest, William E. Spence
William E. Spence, Constable

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. March 22, 1994

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafetorium, Byam School Cafetorium, Westland School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Gymnasium and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence

William E. Spence,
Constable

A True Copy Attest, William E. Spence

William E. Spence, Constable

WARRANT FOR
THE SPECIAL TOWN MEETING
APRIL 28, 1994
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the constable, or any other suitable person of the Town of Chelmsford:

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the town meeting representatives of said Chelmsford to meet in the Senior Center, Groton Road, North Chelmsford, on Thursday, the twenty eighth day of April, at 7:30 p.m. o'clock in the evening, then and there to act upon the following articles, VIZ:

Article 1. To see if the Town will vote to have the town accountant provide quarterly financial reports to all precinct representatives. The reports would be structured the same as the annual town budget passed at town meeting. This report would be provided thirty days after each quarter and would show actual spending vs. the budget; or act in relation thereto.

Petition

Article 2. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money for the purpose of providing Senior Citizen Real Estate Tax Payment Vouchers for services rendered, pursuant to an agreement to be formulated by the Council on Aging and approved by the Town Manager; or act in relation thereto.

Town Manager
Council on Aging

Article 3. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money for the purpose of renovating the girls' locker room facilities at Chelmsford High School to more closely reach parity with the boys' locker room facilities at Chelmsford High School, said renovations to be made under the supervision of the Athletic Task Force Committee; or act in relation thereto.

Petition

Article 4. To see if the Town will vote to amend the Zoning By-Law to include the attached Section entitled "(Sec.) 4900. Senior Living and Elder Care Projects" and to add Senior Living and Elder Care Projects to the Residential Uses set forth in Sec. 2300. Use Regulations Schedule. as set forth on the attachment hereto.

[Sec.] 4900. Senior Living and Elder Care Projects

4910. Purpose. Senior Living and Elder Care Projects (SLECP) allow by special permit from the board of appeals a greater flexibility in development from the pattern otherwise permitted in Chelmsford, provided that an application for such use is approved by the Town Meeting. It is intended to encourage the preservation of open spaces while at the same time allowing a greater mixture of buildings, structures and uses with special attention given to the concerns of the ill and elderly. Attention also shall be given by the planning board as to whether site layout, number, type and size of buildings and structures constitute a suitable project for the neighborhood within which it is to be located and enhance the quality of living for the SLECP residents, the immediate neighborhood and the Town generally.

4920. Definitions.

4921. Nursing/Special Care Project. A project intended to provide the care of persons requiring daily attention by medical or nursing personnel or for reasons of ill health or physical incapacity.

4922. Hospital Project. A project where sick or injured persons are to be given medical and surgical care.

4923. Congregate Living Project. A project intended to provide private or communal lodging for persons requiring limited medical attention or supervision and who ordinarily are ambulatory. In addition to bed space such facilities may include semi-private or private food preparation facilities, common dining facilities and common semi-private or private bath and toilet facilities.

4924. Independent Living Project. A project intended to provide independent dwelling for a retired or elderly couple or individual. In addition to bedspace such facilities ordinarily would include private toilet, bath, food preparation facilities and a private dining area.

4925. Senior or Elder. Two or more persons sharing a household, the older of whom is 50 years of age or over or a single person who is 50 years of age or over.

4930. Standards.

4931. Minimum Tract Size. Senior Living and Elder Care Projects shall be permitted upon a single tract in one ownership with definite boundaries ascertainable from a recordable deed or record plan which has an area of not less than twenty (20) acres, inclusive of wetlands and land situated within a Floodplain District.

Existing public or private ways need not constitute boundaries of the tract, but the area within such ways shall not be counted in determining minimum tract size.

4932. Permissible Density. In a Senior Living or Elder Care Project shall not exceed an average of fourteen (14) persons per acre, exclusive of wetlands and land situated within a Floodplain District and Common Open Space required under Section 4837 of this By-Law.

4933. Permitted Uses.

(a) Principal Uses:

(1) Nursing/Special Care Project;

(2) Hospital Project;

(3) Congregate Living Project;

(4) Independent Living Project;

(5) Day Care Center for senior or elderly persons;

(6) Facilities for medical, rehabilitative, recreational, social and nutritional programs, dining rooms, kitchen facilities and laundry facilities; and

(7) Any other uses permitted in a Residential District.

(b) Accessory Uses

Accessory uses incidental to the principal uses indicated above, including the following, provided that in all cases such accessory uses shall be for the benefit of the SLECP residents and retired or elderly persons and shall be limited in size and character necessary to serve such persons;

(1) Limited administrative and professional offices which are required for the operation of any of the principal or accessory uses;

(2) Lounge, snack bar and related kitchen facilities, barber shop, beauty parlor and pharmacy;

(3) Facilities for the sale of services and merchandise; and

(c) Places of public assembly, including auditorium and chapel facilities.

4934. Frontage and Yard Requirements. The minimum frontage for a SLECP tract shall be 150 feet. The minimum front yard setback for the tract shall be 100 feet. The minimum side and rear yard setbacks for the tract shall be 40 feet. No parking, building or other above ground structure, except for a freestanding sign as allowed under Section 3300 of this By-Law, shall be located within the front, side or rear yard setbacks of the SLECP tract. The setbacks, except for road or utility crossings, shall provide a continuous landscaped perimeter, provided that nothing shall prevent the erection of walls and fences.

4935. Height. The maximum height of any structure shall not exceed 35 feet.

4936. Maximum Coverage. The maximum permitted building coverage shall not exceed 15% of the land situated outside the Common Open Space and no more than 5% of the maximum building coverage may be used for accessory structures.

4937. Common Open Space.

All land within the SLECP tract which is not specifically reserved for the support of the SLECP facilities and which is not covered by buildings, roads, driveways, parking areas or service areas, or which is not set aside as private yards, patios, or gardens for residents shall be Common Open Space. The area of Common Open Space shall equal at least 25% of the total area of the SLECP tract and no more than 50% of the minumum required Common Open Space shall be situated within the wetlands or Floodplain District. The Common Open Space shall have a shape, dimension, character and location suitable to enable its enjoyment and use for conservation or argicultural purposes by the residents of the SLECP. Provisions shall be made so that the Common Open Space is owned by the owners of the SLECP.

In all cases, a perpetual restriction of the type described in Chapter 184, Section 31 of the Massachusetts General Laws (including future amendments thereto and corresponding provisions of future laws) shall be recorded in respect to such Common Open Space. Such restrictions shall provide that the Common Open Space shall be retained in perpetuity for use by the residents in the SLECP for the purposes of conservation or agriculture. The restriction shall specifically prohibit the use of Common Open Space for all-terrain vehicles, snowmobiles, motorbikes, motorcycles and similar vehicles, except golf carts. It shall prohibit the construction of any above ground structures, buildings, road and paved areas, except for the construction and maintenance of bicycle, equestrian and foot paths or similar facilities intended to foster active recreation by the residents and a "recreation building" ancillary thereto.

4938. Parking.

Except as provided in this section, all parking shall comply to the extent applicable with the provisions of Sec. 3100. Off-street parking and loading.

(a) Nursing/Special Care or Hospital Project. One parking space for every sleeping room for single or double occupany or where not divided into such rooms, one parking space for each two beds.

(b) Congregate Living Project. One parking space for each 20 beds.

(c) Independent Living Project. One parking space for each dwelling unit.

(d) Employees. One parking space for each three employees which can be reasonbly expected at any one time on the premises.

(e) Public Assembly. One parking space for each four seats of rated capacity in the largest place designated for regular use as a place of public assembly.

(f) Visitors. One parking space for each 20 residents in the congregate living or independent living facilities.

4939. Procedure for Approval.

(a) Town Meeting Approval

(1) Any person who desires a special permit from the board of appeals for a SLECP shall submit a preliminary application to the board of appeals in order that the board can evaluate the overall suitability of the proposed use in light of the purposes of this By-Law.

(i) Pre-submission review. Prior to investing in extensive professional design efforts for SLECP plans, it will often prove useful to review the proposed SLECP with the board of appeals in order that general approaches and potential problems can be freely explored.

(ii) Submittals. A preliminary SLECP application shall contain, in addition to other specific information deemed necessary by the Board of Appeals in any particular instance, the following information:

- the SLECP name (if any);

- Preliminary site layout, which shall contain the boundaries of the SLECP tract, proposed structures, drives, parking, landscaping, screening, fences, walls, walks and outdoor lighting.

- Preliminary topography and drainage plan(s);

- Preliminary utility and landscaping plan(s);

- Preliminary architectual plan(s).

(2) The board of appeals shall consider such preliminary application and shall submit to the Town Meeting its evaluation and recommendations regarding the application. At such Town Meeting, approval of the preliminary application shall be by a two-thirds vote of those present and voting. A copy of the preliminary application, as approved by the Town Meeting, including any modifications or additional restrictions or requirements, shall be filed with the Town Clerk.

(3) After approval by the Town Meeting, including such cases where Town Meeting approval has been deemed to have been granted, an application shall be submitted to the board of appeals for a special permit in accordance with all the procedures for approval hereinafter set forth. A special permit shall be issued only if the board of appeals shall find that the plans submitted to it conform substantially to the terms of the approval granted by the Town Meeting and provided further that such permit shall be issued in conformance with the provisions of this By-Law. The board of appeals may, in its discretion, permit minor deviations from the preliminary application as approved by the Town Meeting so long as it finds that such deviations are not substantially inconsistent with the Town Meeting approval.

(b) Application to Board of Appeals.

After approval by the Town Meeting in accordance with SubSection 4939(a), any person who desires a special permit for a SLECP shall submit an application in writing in such form as the board of appeals may require which shall include the following:

(1) A development statement including a petition, a list of parties in interest with respect to the SLECP tract, the names and specific functions of the development team and a site evaluation statement. The statement shall set forth the development concept in detail, including in tabular form the number of facilities, type, estimated resident population, size (number of bedrooms, floor area) ground coverage, the area of the SLECP and Common Open Space, specifying the portions of each which is situated within wetlands or Floodplain District as a percentage of the total area of the SLECP tract and a development schedule for all site improvements together with copies of all proposed instruments, including the Common Open Space perpetual restriction.

(2) Development plans bearing the seal of a Massachusetts Registered Architect, Registered Civil Engineer or similar professional as appropriate and consisting of:

(i) Site Plans and Specifications showing all site improvements and meeting, to the extent applicable, the requirements set forth for a Definitive Plan in the Subdivision Rules and Regulations of the planning board and/or Site Plan in Section 1420 of this By-Law.

(ii) Site perspective, section, elevations and typical floor plans;

(iii) Detailed plans for disposal of sanitory sewer and surface drainage; and

(iv) Detailed plans for landscaping.

(3) The board of appeals shall, within ten days of receipt of an application under Section 4900, refer the application to the Planning Board, Conservation Commission, Department of Public Works, Board of Health and Building Inspector for written reports and recommendations and no decisions shall be made until such reports are returned or 35 days have elapsed following such referral without receipt of such reports.

(4) Planning Board Report and Recommendation.

The Planning Board shall review the petition and plans and shall submit in writing to the board of appeals its report and recommendations relating to the proposed development, including at least the following:

(a) An evaluation of the natural terrain of the SLECP tract and surrounding areas and of the neighborhood in which the tract is situated.

(b) An evaluation of the proposed development, including the design and use of buildings, roads, utilities, drainage, and of the open spaces, of pedestrian and vehicular circulation, of the location and adequacy of parking and of the provisions for grading, landscaping and screening.

(c) Its opinion as to whether the proposed site layout, number, type, size and configuration of housing and other structures constitute a suitable development for the neighborhood within which it is located.

(d) The effect of the proposed layout on the Town's existing roadways, water supply and sewage disposal facilities.

(e) The statement that the applicant's plans comply, as applicable, with the Subdivision Rules and Regulations and/or site plan review requirements of the planning board or, wherever such plans do not comply, a statement of the respects in which they do not so comply.

(f) Recommendations for the granting or denial of the Special Permit, including recommendations for modifications, restrictions or requirements to be imposed as a condition of granting the Special Permit.

(5) Conservation Commission's Report and Recommendations.

The Conservation Commission shall review the petition and plans and shall submit in writing to the Board its report and recommendations upon the degree to which the proposed project enhances the conservation of significant environmental qualities, including at least:

(a) An evaluation and opinion upon the degree to which the project itself affects critical enviromental areas.

(b) An evaluation and opinion upon the degree to which the Common Open Space conserves:

(i) Critical environmental areas and provides a valuable outdoor resource;

(ii) Enhances the long-term conservation of critical environmental areas, unique natural features, scenic vistas or potential for existing farmland; or

(iii) Provides a valuable addition to the open space resources of the Town.

(6) Board of Appeals Grant

A Special Permit may be issued under this Section only if the board of appeals finds that the SLECP conforms to the requirements

and is in harmony with the general purpose and intent of this Section, and that the site layout, number, type and size of buildings and structures constitute a suitable development for the neighborhood in the vicinity of the SLECP. If a Special Permit is granted, the board of appeals may impose as a condition thereof that the installation of municipal services and construction of interior drives within the SLECP shall comply, to the extent applicable, with the requirements of the Subdivision Rules and Regulations of the Planning Board, and may require sufficient security to ensure such compliance and the completion of planned recreational facilities and site amenities and may impose such additional conditions and safeguards as public safety, welfare and convenience may require, either as recommened by the Planning Board or Conservation Commission or upon its own initiative. The board of appeals shall give due consideration to the reports of the Planning Board and Conservation Commission and if the decision of the board of appeals differs from the recommendations of the Planning Board or Conservation Commission, the reasons therefor shall be stated in writing.

AND ADDING A NEW SECTION TO THE RESIDENTIAL USES SET FORTH UNDER SECTION 2300 as follows:

Residential Uses														
Single-family dwelling	P	P	P	P	O	O	O	O	O	O	O	O	O	O
Two-family dwelling	O	O	P	P	O	O	O	O	O	O	O	O	O	O
Multifamily dwelling	O	O	O	PB	O	O	O	O	O	O	O	O	O	O
Conversion of dwellings (see sec. 2560)	O	BA	P	BA	O	O	O	O	O	O	O	O	O	O
Boarding house	O	O	P	O	O	P	O	P	O	O	O	O	O	O
Mobile home	O	O	O	O	O	O	O	O	O	O	P(6)	O	O	O
Cluster development	PB	PB	O	O	O	O	O	O	O	O	O	O	O	O
Senior Living and Elder Care Projects	**0**	**BA**	**BA**	**BA**	**BA**	**BA**	**0**	**BA**	**BA**	**0**	**0**	**0**	**0**	**0**

; or act in relation thereto.

Petition

Article 5. To see if the Town will vote to approve an Independent Living Project under Section 4900 of the Zoning By-Law to be developed on a parcel of land, containing approximately 21.80 acres, situated on the easterly side of Mill Road; or act in relation thereto.

Petition

Article 6. To see if the Town will vote to authorize the Board of Selectmen to acquire in fee simple the land with the buildings and trees thereon by purchase, eminent domain, or otherwise, the property located at 24 Central Square, Chelmsford, Massachusetts, and further described in the deeds recorded in the Middlesex North District Registry of Deeds in Book 992, Page 429 and Book 1018, Page 163; for the purpose of providing municipal parking and to see if the Town wil vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, transfer and appropriate from revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Board of Selectmen

Article 7. To see if the Town will vote to transfer a certain sum of money from Line Item 31, Interest to amend FY94 Budget by increasing Line Item 29, Undistributed Expenses; or act in relation thereto.

Town Manager

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 11th of April, 1994.

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

Roger A. Blomgren, Chairman

Robert P. Joyce, Vice Chairman

William F. Dalton, Clerk

Jeffrey A. Brem

Peter V. Lawlor

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. April 11th, 1994

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafetorium, Byam School Cafetorium, Westland School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Gymnasium and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence,
Constable

A True Copy Attest,

William E. Spence, Constable

TOWN ELECTION APRIL 5, 1994

*Indicates Candidate for Re-election

OFFICES and CANDIDATES	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
SELECTMAN 3 Year Terms (2)										
Blanks	148	121	155	123	150	150	158	139	134	1278
Roger A. Blomgren	275	260	362	344	266	381	376	324	288	2876
William F. Dalton	318	310	356	319	295	345	260	255	334	2792
Cheryl Adkins Boss	199	77	169	126	222	314	307	239	204	1857
Richard E. DeFreitas*	255	105	208	198	267	311	327	232	258	2161
Write-In	0	1	0	1	4	2	1	1	1	11
Misc	1	0	0	1	0	3	1	0	1	7
TOTAL	1196	874	1250	1112	1204	1506	1430	1190	1220	10982
SCHOOL COMMITTEE 3 Year Term (1)										
Blanks	28	31	41	24	27	50	33	36	19	289
Anthony V. Volpe	267	196	221	294	246	297	277	238	267	2303
Joseph A. Balan	77	76	122	87	63	102	79	74	98	778
Barbara H. Ward*	225	133	238	151	266	303	325	246	223	2110
Write-In	0	0	0	0	0	0	0	0	2	2
Misc	1	1	3	0	0	1	1	1	1	9
TOTAL	598	437	625	556	602	753	715	595	610	5491
LIBRARY TRUSTEE 3 Year Terms (2)										
Blanks	393	302	380	343	388	490	419	396	387	3498
James F. Murray	183	106	189	206	196	237	210	179	224	1730
Nancy J. Knight*	357	283	391	351	371	486	478	362	350	3429
Jaclyn Dolan Matzkin	257	179	289	211	249	290	320	250	255	2300
Write-In	1	0	0	1	0	1	0	1	3	7
Misc	5	4	1	0	0	2	3	2	1	18
TOTAL	1196	874	1250	1112	1204	1506	1430	1190	1220	10982
BOARD OF HEALTH 3 Year (1)										
Blanks	176	125	171	163	200	219	212	184	210	1660
Paul F. McCarthy*	415	311	450	386	400	526	499	409	398	3794
Write-In	5	1	0	6	2	7	4	0	2	27
Misc	2	0	4	1	0	1	0	2	0	10
TOTAL	598	437	625	556	602	753	715	595	610	5491
BOARD OF HEALTH Unexp 2 Yr Term (1)										
Blanks	193	129	184	168	212	219	191	187	221	1704
Peter Dulchinos	400	304	440	384	390	530	521	406	388	3763
Write-In	4	3	0	2	0	3	0	0	1	13
Misc	1	1	1	2	0	1	3	2	0	11
TOTAL	598	437	625	556	602	753	715	595	610	5491

PLANNING BOARD 3 Year Terms (3)										
Blanks	563	468	553	531	563	667	667	559	614	5185
Robert J Galejs	229	149	257	251	222	304	286	240	347	2285
Christine A. Gleason*	308	260	421	325	347	474	440	366	315	3256
James P Good*	341	218	314	298	334	404	375	315	286	2885
Kim J. MacKenzie*	348	216	325	259	337	406	374	298	265	2828
Write-In	3	0	3	2	1	0	2	0	2	13
Misc	2	0	2	2	2	4	1	7	1	21
TOTAL	1794	1311	1875	1668	1806	2259	2145	1785	1830	16473
SEWER COMMISSION 3 Year Term (1)										
Blanks	193	108	161	155	198	208	221	174	219	1637
George F. Abely*	402	328	462	397	401	542	490	417	388	3827
Write-In	1	0	1	2	3	1	3	2	3	16
Misc	2	1	1	2	0	2	1	2	0	11
TOTAL	598	437	625	556	602	753	715	595	610	5491
CEMETERY COMMISSION 3 Year Term (1)										
Blanks	177	125	178	159	193	212	202	167	206	1619
Jean R. McCaffery	415	311	444	397	409	539	511	425	404	3855
Write-In	1	0	3	0	0	1	1	1	0	7
Misc	5	1	0	0	0	1	1	2	0	10
TOTAL	598	437	625	556	602	753	715	595	610	5491
QUESTION 1										
Blanks	80	64	68	77	69	95	69	79	84	685
Yes	413	298	462	387	431	527	532	410	409	3869
No	105	75	95	92	102	131	114	106	117	937
TOTAL	598	437	625	556	602	753	715	595	610	5491

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms (unless specified)

Prec 1

Blanks	1785
John B. Sousa Jr	331
Jean B. Rook*	302
James P. Good*	314
William L. Harvey III*	280
Richard G. Allison*	267
Frances T. McDougall*	300
Write-In	3
Misc	4
TOTAL	3586

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms (unless specified)

Prec 2

Blanks	1044
William F. Dalton *	307
Linda H. Dalton*	280
Catherine L. Turley*	226
Jesse C. Foster*	264
Francis M. Conlin*	246
Timothy M. Carey	240
Write-In	12
Misc	3
TOTAL	2622

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms (unless specified)

Prec 3

Blanks	1835
Gerald J. Lyons*	378
Kathryn M. Fisher*	362
Douglas L. Wright*	363
Thomas E. Moran*	380
Christopher T. Garrahan*	336
Cathy Hutchinson (Write–In Candidate)	45
Roy Perry	35
William Gilet	5

The Following had 1 write–in vote each they are listed in Alphabetical order it is not necessarily the vote order received:

George Desmaris	1
Milton Kinney	1
Carol Marcotte	1
Whitey Morris	1
D. Tom Wholey	1
Write–In	6
Misc	0
TOTAL	3750

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms (unless specified)

Prec 4

Blanks	1188
George A. Ripsom Sr	250
Linda J. Allen*	253
Kay E. Roberts*	241
Joel M. Karp*	166
Gerald W. Pacht*	211
William D. Martin*	193
Beverly A. Koltookian*	153
Cheryl L. O'Sullivan	225
Donald C. Stayman	184
Dolores A. Blomgren	267
Write-In	1
Misc	4
TOTAL	3336

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms (unless specified)

Prec 5

Blanks	1888
Kathleen F. Hillman*	323
Glenn R. Thoren*	301
Michael N. Sockol*	282
Evelyn S. Thoren*	299
David F. McLaughlin*	344
Robert Hall	98
Wendy Marcks	46
Jennifer Ferreira	5
Peter Patsouraras	3

The Following had 1 or 2 write–in votes each they are listed in Alphabetical order it is not necessarily the vote order received:

Arthur Bentas	2
Anthony Calini	2
Alvin J. Drehman	1
Mary Duff	1
Sheila Hardy	1
David Lapierre	1
John H. McClay	1
Robert McCrady	1
Syndey Neal Jr.	1
Write–ins	5
Misc	7
TOTAL	3612

REPRESENTATIVE TOWN MEETING MEMBER (1) Unexpired 2 Year Term

Prec 5

Blanks	207
Barbara H. Ward	377
Write–In	18
Misc	0
TOTAL	602

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms (unless specified)

Prec 6

Blanks	2185
M. Elizabeth Marshall*	432
Earl C. Burt*	426
Ruth K. Delaney	518
David J. McLachlan*	417
Steven B. Hadley*	437
Daniel Frantz (Write-In Candidate)	41
Mary Anne Paresky	19
James R. Doukszewicz	8
William P. Colbert	2
The Following had 1 write-in vote each they are listed in Alphabetical order it is not necessarily the vote order received:	
Charles Bagni	1
James Biddy	1
George Chanis	1
Claire Colbert	1
Francis Dineen	1
David Foner	1
Nathan Hartwell	1
Walter Kivlan III	1
Robert McCallum	1
Charles Mitsakos	1
Alyoon Stowell	1
Write-ins	7
Misc	15
TOTAL	4518

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms (unless specified)

Prec 7

Blanks	1629
Barbara J. Scavezze	376
Susan J. Gates	433
Leonard W. Doolan III*	411
Dwight M. Hayward*	415
Carol A. Stark*	352
David A. Carpenter*	345
Bruce C. Foucar	317
Write-In	8
Misc	4
TOTAL	4290

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms (unless specified)

Prec 8

Blanks	2094
Deborah Villano	395
Gail E. Poulten*	209
Samuel Poulten*	218
Kathleen A. Neild	410
Bernice F. Poulten*	191
Diedre Dufour (Write–in Candidate)	25
Dolores Maguire	3

The Following had 1 or 2 write–in votes each they are listed in Alphabetical order it is not necessarily the vote order received:

Leslie Cypret	2
Michael Denihan	2
Myles F. Barrett	1
Frederick C. Belsak	1
Walter Clayton	1
Patricia Grant	1
William Logan	1
John M. MacDougall	1
Doris Mahoney	1
Richard Mahoney	1
Maureen Poole	1
John Turco	1
Write–In	6
Misc	5
TOTAL	3570

REPRESENTATIVE TOWN MEETING MEMBERS (6) 3 Year Terms (unless specified)

Prec 9	
Blanks	1605
Edward A. Cady*	264
Henry T. Emmet*	247
Robert C. Morse	393
Steven Arthur Consalvi	322
Donald L. Ellias*	259
C. Thomas Christiano*	281
Paul J. Tower*	278
Write–In	4
Misc	7
TOTAL	3660

REPRESENTATIVE TOWN MEETING MEMBER (1) Unexpired 2 Year Term

Prec 9	
Blanks	193
John G. Harrington	412
Write–In	5
Misc	0
TOTAL	610

ANNUAL TOWN MEETING
APRIL 25, 1994

The Annual Town Meeting was called to order at the Senior Center by the Moderator Dennis E. McHugh at 7:40 PM, who recognized the presence of a quorum. There were 152 Town Meeting Representatives present. He went over the various procedures and pointed out the fire exits.

The Moderator then asked for a moment of silence in honor of Arthur Bennett, Charles Marderosian, Elizabeth Ferreira. These individuals had served the Town in various capacities, and had passed away since the October meeting.

Friday April 29th is Student Government Day at the High School. The Moderator explained that the Students were in attendance at this meeting and that he would read the individual names and offices and when he was done reading the Students are to rise in order to have the Town Meeting acknowledge them. The Students are as follows:

State Representative
Mike Costa

Board of Health
Matthew Metivier
Tricia Metz
Jennifer Pattison

School Committee
Christina Eagan
Jill Molony
Erik Olsson
Kater Petersen
April Watts

Treasurer/Tax Collector
Ellen McCabe

Finance Committee
Matt Amerson
Rebecca Deer
Lynn Hyatt
Peter Kalpas

Council on Aging Director
Christina Tsandikos

Selectmen
Louie Distasi
Kerry Ducharme
Gregory Mara
Julie McCusker
Ben Roberts

Police Chief
Kiat McLaughlin

Ass't Police Chief
Eric Dishman

State Senator
Andrea Hamwey

Town Manager
Eric Horndahl

Supt of Schools
Danielle Demers

Housing Authority
Scott Richard
Steve Rigazio
Aaron Robinson

DPW/Town Engineer
Marti Fonbing

Planning Board
Jeremy Davis
Tony Silvia
Jeff Thompson

Cemetery Commission
Adam DeYoung
Sue Emanouil
Tammy Rager

Board of Assessors
Adriano Agostino
Donata Jerome
Chris Parke

Supt of Public Buildings
William Allen

Sewer Commission
Matthew Caffelle
Chrissi Crow
Chad McMurrer

Building Inspector
Michael Gavin

Veteran's Agent
Ali Bisset

Town Clerk
Theresa Daly

Constable
Brendan Ahern

Supt of Streets
Charles Hillman

Wiring Inspector
James Rines

Library Trustee
Rebecca Morse

The Town Meeting Body proceeded to give the students a round of applause.

The Moderator asked permission from the Body to allow the following non-residents to speak from time to time. These individuals have information concerning certain articles which may be necessary to hear. Ken DiNisco from DiNisco, Kretsch and Associates an architect for the Center School article. Bernie DiNatalie Director of Technology and Adam Wasylyshyn, Director of Data Processing, may speak on any school articles. Robert A. Goober, Project Manager from Weston and Sampson Engineering, may speak on any Sewer articles. The Moderator asked for a show of hands, motion carried, unanimously.

Selectman Robert P. Joyce moved to waive the reading of the Constable's return of service and the posting of the warrant be waived. Motion carried, unanimously, by a show of hands. Selectman Joyce moved to waive the reading of the warrant. The Moderator asked for a show of hands, motion carried, unanimously. .

UNDER ARTICLE 1 Selectman Robert P. Joyce moved to hear reports of the Town Officers and Committees. Chairman of the Board of Selectman Roger Blomgren explained that this has been done at past meetings, The State Senator and State Representative have been invited by the Board of Selectmen to come to the Annual Town Meeting and report on the activities that occurred during the year. State Senator Lucile Hicks came forward and gave a report of the various bills that have passed or are pending. The money raised from the revenue

taxes on cigarettes and the child support reform bill are areas that have benefited Chelmsford greatly. She also explained that the local aid deadline of June 1, 1994, for any state funding concerning the 64% reimbursement from the state for renovations of an Education Facility, has been extended to 1995. Selectmen Blomgren announced that State Representative Carol Cleven was unable to be at the meeting tonight due to sickness.

UNDER ARTICLE 2 Town Manager Bernard L. Lynch moved that the Town vote to transfer and appropriate from available funds the sum of $300,000.00 for the purpose of funding Line Item 29 Undistributed Expenses - Employee Benefits of the 1994 Fiscal Year Budget.

Bernard Lynch explained that this article concerns the employees health insurance. He had estimated a lower amount when planning the previous budget, this amount was needed to fund the cost, it would come from free cash. He made a presentation which showed the amounts paid by the various surrounding towns for their employees. Questions were asked concerning the increased cost. The Town Manger explained that there are more retirees this year, plus the early retirement program of last year. Also due to the economic constants, many spouses of Town Employees were laid off or retired. As a result more Town Employees take advantage of being under the Town's plan, either as a single or family member. The Moderator asked for the Finance Committee's recommendation. Chairman Dwight Hayward, said that the Finance Committee recommended the article. Chairman Roger Blomgren said that the Board of Selectmen were in favor of the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 3 Town Manager Bernard L. Lynch moved that the Town vote to borrow the sum of $6,093,399 for the purpose of renovating the Center School for use as an Educational Facility contingent upon approval of state funding to reimburse the Town 64% of the principal and interest expended on the renovation.

Bernard Lynch explained that due to this being a municipal building it is necessary for him to bring this article forward. The School Department has and will make a extended presentation stating the purpose of the article. Dr Richard Moser, Superintendent of Schools came forward and proceeded to explain the article. On his statement of need he showed statistics reflecting the present enrollment and predictions of future up to the year 1999. According to predictions it is expected that 6,148 students will be enrolled through out the system. He gave information showing the present building capacity for all the schools, which included the various capacity for the Parker, McCarthy and High School. He explained the figures shown in the cost of the Center School renovating and listed the items that were not considered in the original study done in 1993, which said

that the cost would have been $841,400. --now the 1994 study reflects the cost of $6,108,399. a difference of $5,266,999.

Dr Moser then asked Ken DiNisco, Architect for the firm who has prepared the renovation plans of the school to address the body. He explained that the school was built in 1955 with twenty four classrooms, administration area, bathrooms, teacher's area, health area, cafeteria, on lower level. The two story portion consisted of a kitchen, cafeteria facing the rear. Since 1981 the building has been modified to fit the various needs of the Wang Child Care, and the present Lighthouse Private School which have occupied the premises. In order to return to the public school building from a private school building structural changes will have to be made through out the building. Classrooms have been made smaller and will have to be returned to the original size. A 6,000 square foot addition will be constructed to the already well constructed 50,000 square foot size building. This would hold the additional classrooms that were not required in 1955. Music rooms, computer rooms, etc. This would house an elevator, thus making the building completely handicap accessible. An expanded parking area will be made. He showed a presentation which reflected the costs of the project. The state would be paying 64% or $3,899,775. The Town's portion or 36% would be $2,193,623. paid. Construction would begin in 1998. If this is not applied for by June 1st then there would be no guarantee of any state reimbursement.

School Committee member, Judy Mallette went over the restrictions involved. June 1, 1994 is the actual deadline for making application in order to receive 64% reimbursement. August 30, 1994 notification from Department of Education approval. June of 1998 begin construction. Building a new school is not an option. The State will not fund any other type of reimbursement for any other building because the Center School is owned by the Town. Also the State requires a fifteen acre site for any new school, which, the Town does not have.

Town Manager Bernard Lynch explained the Bonding process. The project would require two bonds. One which would be paid for in five years. This would be for the architect fees and services that must be paid at the beginning of the project in the amount of $350,000. And another for the construction costs of $5,750,000., which would be paid off in ten years. This is an affordable project. The impact on the tax rate for the first year of the construction bond would represent roughly 20 cents on the tax rate. The architectual bond would be just under 2 cents on the tax rate. The ten year time frame was chosen even though it is a rapid payment plan, in order to maintain the present high bond rating. It is estimated that the interest rate will be 6% which is a reasonable and conservative figure.

Numerous questions were asked, and a lengthy discussion took place. Judy Mallette again stated that in order to be

guaranteed a definite 64% reimbursement which would include the principal and interest it must be done by June 1st. If done after that date then the state won't act on the application until 1996, at which time a new schedule will be issued for reimbursement at an unknown percentage rate. If not done and property is sold off, the Town must wait ten years for any type of reimbursement for any new or old construction or additions. Janet Dubner questioned who maintained the building now? Bernard Lynch explained that because it is leased through the Town, the Town maintains the property. Why was there a difference in the two reports. Due to the different requirements being met. The State was being more restrictive on the requirements. Sam Poulten questioned the lease terms. It was his understanding that while the building was being leased any renovations had to be temporary because at the end of the lease it had to be returned to the original state. Bernard Lynch said that as far as he knew this was not in the terms. More discussion took place. The Moderator asked for the Finance Committee's recommendation. Chairman Dwight Hayward said that the Finance Committee fully recommended the article. Selectman Roger Blomgren said that a majority of the Board of Selectmen were in favor of the article. Jeff Stallard requested that the Selectmen poll their votes. Selectmen Brem, Lawlor and Joyce were in favor of the article. Selectmen Blomgren and Dalton were against the article. Robert Hall spoke against the article. Carl Olsson, Chairman of the School Committee said that the Board has many restrictions due to proposition 2 1/2 and the School Mandate bill. More discussion took place. Bradford Emerson moved the question. The Moderator asked for a show of hands, motion carried. The Moderator then asked for a show of hands on the article. Cheryl Warshafsky requested a roll call vote. She felt that the Representative should be accountable to their constituents. The Moderator asked that the following tellers come forward and conduct a hand count:
Dorothy Frawley, Patricia Plank, Lucy Simonian, Jean Horgan.
Yes 33 a majority of 40 is needed. The motion for a roll call is denied. The Moderator then asked for a show of hands on the motion. Yes 111 No 36 2/3's required which is 98, the motion carried.

UNDER ARTICLE 4 Thomas Moran moved to withdraw this article. He will re-submit it for the Fall Meeting. He had been advised by Town Counsel that the wording of the article was in question. The Moderator asked for a show of hands, motion carried. The article read as follows: That the Town vote to protect and preserve the existing Town Common by prohibiting the building or placement of any additional structures on this important historical land.

Philip Currier moved to adjourned the meeting until Monday May 2, 1994. Due to the lateness of the hour and that the next article might be subject to a lengthy discussion. The Moderator explained that there is a Special Town Meeting posted to be held on Thursday April 28th. Philip Currier withdrew his motion to adjourn, then asked that the meeting be

adjourned to Thursday April 28th, 1994 at 7:30 PM at the Senior Center. The Moderator asked for a show of hands, motion carried, unanimously. The meeting adjourned at 10:50 PM.

Dennis E. McHugh, Moderator	Mary E. St.Hilaire, Town Clerk

SPECIAL TOWN MEETING
APRIL 28, 1994

The Special Town Meeting was called to order at the Senior Center by the Moderator Dennis E. McHugh at 7:35 PM, who recognized the presence of a quorum. There were 149 Town Meeting Representatives present.

Selectman Robert P. Joyce moved to waive the reading of the Constable's return of service and the posting of the warrant be waived. The Moderator asked for a show of hands, motion carried, unanimously. Selectman Joyce moved to waive the reading of the warrant. Motion carried unanimously, by a show of hands.

UNDER ARTICLE 1 Thomas Moran moved that the Town vote to have the town accountant provide quarterly financial reports to all precinct representatives. The reports would be structured the same as the annual town budget passed at town meeting. This report would be provided thirty days after each quarter and would show actual spending vs. the budget.

Thomas Moran explained the article. He felt that this would further help and educate the Town Meeting Representatives. It shouldn't be more than three pages long, have the same format as the budget book. There would be no mailing, it would be noted in the local newspaper and on cable when it would be available at the Town Office Building for pick up. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands on the article. Motion carried.

UNDER ARTICLE 2 Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $12,500.00 for the purpose of providing Senior Citizen Real Estate Tax Payment Vouchers for services rendered, pursuant to an agreement to be formulated by the Council on Aging and approved by the Town Manager.

Town Manager Bernard Lynch explained that this article should have been on the Annual Town Meeting warrant, but due to an oversight it wasn't. This is an annual article. Qualified citizens work a certain amount of hours and in lieu of payment a voucher is issued and applied towards their payment of real estate taxes. The program has been a successful one and he asked for support of the article. The Finance Committee recommended the article. The Selectmen were in favor of the article. A 2/3's vote is required. The Moderator attempted to obtain an unanimous vote. The following tellers were called forward and a hand count was taken: Dorothy Frawley, Patricia Plank, Jean Horgan, Lucy Simonian. The results Yes 116 No 1, 2/3's is 78 the article carried.

UNDER ARTICLE 3 Selectman Peter Lawlor moved to defer action on this article until after article 6. Selectman Lawlor explained that due to this being a petitioned article, more time is needed to obtain further information regarding the funding. The Finance Committee was in favor of tabling the article. The Moderator asked for a show of hands on the motion, motion carried.

UNDER ARTICLE 4 Brad Emerson moved to waive the reading of the article. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator noted that the main motion reflects changes after the petitioner's meeting with the Planning Board. Attorney Joseph Shanahan who represents the Russell Mill Corporation, which is a local corporation owned and operated by the Finnegan and Katz families, who are town residents. They are proposing a real estate venture. As part of the proposal they are introducing by petition a zoning addition. It is not proposing to change the present zoning law, but to add a completely new section. to afford a alternative means of residential use, specifically it would be for senior living and or elder care projects. The situation arose about a year ago when Attorney Shananhan represented a client who was proposing the congregate living facility on Summer Street. It was 160 plus units that had a common dining room, notions shop, barber shop, beauty shop for use of those who lived in the building. This is a new concept which started in California and has started to become a popular concept on this coast. Presently the only way this can be done is through the Board of Appeals through the Special Permit process, and if approved it continues on to the Planning Board for site plan approval. A problem arose with the Summer Street project. A suit was filed citing that it became a change in land use. A commercial piece of property was being used for a residential use. Any change such as this cited should come before the Town Meeting body for approval first. This litigation was resolved on the Summer Street project, however any future projects will be facing the same issue. Therefor rather then take his clients proposal which is the next article, to the Board of Appeals and face possible litigation and knowing that the Town Meeting body defeated an article last year which would have empowered the Board to grant use variances, it was decided to draft a new section of the bylaw. He cited that the surrounding towns of Bedford, Concord, Carlisle and Lexington already have this type of by-law. So the information was compiled from these four communities and is before the body tonight. As a result meetings with the Town Meeting Representatives, Board of Appeals, Town Counsel, and the Planning Board, four changes have been made to the article. Attorney Shanahan briefly went over the four changes. He indicated that the Planning Board's recommendation was based on the changes to be incorporated into the article, and requested that a vote be made on the article with the changes being part of the article. Dennis Ready moved to vote the article with the changes incorporated. Town Counsel James Harrington felt that a vote should be made on the article as it appeared in the warrant, then a vote on

the amendments. He questioned the changes being made, he wasn't informed about all four changes, only three, and requested more information. The Moderator asked for the Finance Committee and Selectmen's recommendation. The Finance Committee recommended the article as it appeared in the warrant book. The Board of Selectmen recommended the article. The Moderator then explained that he now had before him the main motion with the four changes incorporated and asked if there was any need for further discussion. Town Counsel again questioned the changes and wanted to know who initiated the changes and for what reason, because he was unaware about the Board of Appeals being eliminated from the process. Attorney Shanahan explained that he had made the changes concerning the Board of Appeals and waiting two years to return back to Town Meeting once denied. The Planning Board initiated the other two changes. The Moderator asked for a show of hands on the motion to amend. Motion carried. The article now reads as follows:

James P. Good moved to amend the proposed Zoning By-law entitled "(Sec.) 4900. Senior Living and Elder Care Projects" from the form published in anticipation of the Planning Board public hearing on April 13, 1994 and set forth in the Warrant to a form which incorporates the recommendations made by the Planning Board after its public hearing was closed on April 27, 1994, and certain other revisions, as set forth on the attachment hereto.

[Sec] 4900. Senior Living and Elder Care Projects

4910. Purpose. Senior Living and Elder Care Projects (SLECP) allow by special permit from the board of appeals a greater flexibility in development from the pattern otherwise permitted in Chelmsford, provided that an application for such use is approved by the Town Meeting. It is intended to encourage the preservation of open spaces while at the same time allowing a greater mixture of buildings, structures and uses with special attention given to the concerns of the ill and elderly. Attention also shall be given by the planning board as to whether site layout, number, type and size of buildings and structures constitute a suitable project for the neighborhood within which it is to be located and enhance the quality of living for the SLECP residents, the immediate neighborhood and the Town generally.

4920 Definitions.

4921. Nursing/Special Care Project. A project intended to provide the care of persons requiring daily attention by medical or nursing personnel or for reasons of ill health or physical incapacity.

4922. Hospital Project. A project where sick or injured persons are to be given medical and surgical care.

4923. Congregate Living Project. A project intended to

provide private or communal lodging for persons requiring limited medical attention or supervision and who ordinarily are ambulatory. In addition to bed space such facilities may include semi-private or private food preparation facilities, common dining facilities and common semi-private or private bath and toilet facilities.

4924. Independent Living Project. A project intended to provide independent dwelling for a retired or elderly couple or individual. In addition to bedspace such facilities ordinarily would include private toilet, bath, food preparation facilities and a private dining area.

4925. Senior or Elder. Two or more persons sharing a household the older of whom is 50 years of age or over or a single person who is 50 years.

4930. Standards.

4931. Minimum Tract Size. Senior Living and Elder Care Projects shall be permitted upon a single tract in one ownership with definite boundaries ascertainable from a recordable deed or record plan which has an area of not less than twenty (20) acres, inclusive of wetlands and land situated within a Floodplain District.

Existing public or private ways need not constitute boundaries of the tract, but the area within such ways shall not be counted in determining minimum tract size.

4932. Permissible Density. In a Senior Living or Elder Care Project shall not exceed an average of fourteen (14) persons per acre, exclusive of wetlands and land situated within a Floodplain District and Common Open Space required under Section 4837 of this By-Law.

4933. Permitted Uses.

(a) Principal Uses:

(1) Nursing/Special Care Project;
(2) Hospital Project
(3) Congregate Living Project;
(4) Independent Living Project;
(5) Day Care Center for senior or elderly persons;
(6) Facilities for medical, rehabilitative, recreational, social and nutritional programs, dining rooms, kitchen facilities and laundry facilities; and
(7) Any other uses permitted in a Residential District.

(b) Accessory Uses

Accessory uses incidental to the principal uses indicated above, including the following, provided that in all cases such accessory uses shall be for the benefit of the SLECP residents and retired or elderly persons and shall be limited in size and character necessary to serve such persons;

(1) Limited administrative and professional offices which are required for the operation of any of the principal or accessory uses;

(2) Lounge, snack bar and related kitchen facilities, barber shop, beauty parlor and pharmacy;

(3) Facilities for the sale of services and merchandise; and

(c) Places of public assembly, including auditorium and chapel facilities.

4934. Frontage and Yard Requirements. The minimum frontage for a SLECP tract shall be 150 feet. The minimum front yard setback for the tract shall be 100 feet. The minimum side and rear yard setbacks for the tract shall be 40 feet. No parking, building or other above ground structure, except for a freestanding sign as allowed under Section 3300 of this By-Law, shall be located within the front, side or rear yard setbacks of the SLECP tract. The setbacks, except for road or utility crossings, shall provide a continuous landscaped perimeter, provided that nothing shall prevent the erection of walls and fences.

4935. Height. The maximum height of any structure shall not exceed 35 feet.

4936. Maximum Coverage. The maximum permitted building coverage shall not exceed 15% of the land situated outside the Common Open Space and no more that 5% of the maximum building coverage may be used for accessory structures.

4937. Common Open Space.

All land within the SLECP tract which is not specifically reserved for the support of the SLECP facilities and which is not covered by buildings, roads, driveways, parking areas or service areas, or which is not set aside as private yards, patios, or gardens for residents shall be Common Open Space. The area of Common Open Space shall equal at least 25% of the total area of the SLECP tract and no more than 50% of the minimum required Common Open Space shall be situated within the wetlands or Floodplain District. The Common Open Space shall have a shape, dimension,

character and location suitable to enable its enjoyment and use for conservation or agricultural purposes by the residents of the SLECP. Provisions shall be made so that the Common Open Space is owned by the owners of the SLECP.

In all cases, a perpetual restriction of the type described in Chapter 184, Section 31 of the Massachusetts General Laws (including future amendments thereto and corresponding provisions of future laws) shall be recorded in respect to such Common Open Space. Such restrictions shall provide that the Common Open Space shall be retained in perpetuity for use by the residents in the SLECP for the purposes of conservation or agriculture. The restriction shall specifically prohibit the use of Common Open Space for all-terrain vehicles, snowmobiles, motorbikes, motorcycles and similar vehicles, except golf carts. it shall prohibit the construction of any above ground structures, buildings, road and paved areas, except for the construction and maintenance of bicycle, equestrian and foot paths or similar facilities intended to foster active recreation by the residents and a "recreation building" ancillary thereto.

4938. Parking. Except as provided in this section, all parking shall comply to the extent applicable with the provisions of Sec 3100. Off-street parking and loading.

(a) Nursing/Special Care or Hospital Project. One parking space for every sleeping room for single or double occupancy or where not divided into such rooms one parking space for each two beds.

(b) Congregate Living Project. One parking space for each 20 beds.

(c) Independent Living Project. One parking space fore each dwelling unit.

(d) Employees, One Parking space for each three employees which can be reasonable expected at any one time on the premises.

(e) Public Assembly. One parking space for each four seats of rated capacity in the largest place designate for regular use as a place of public assembly.

(f) Visitors. One parking space for each 20 residents in the congregate living or independent living facilities.

4939. Procedure for Approval.

(a) Town Meeting Approval

(1) Any person who desires a special permit from the board of appeals for a SLECP shall first present the proposed SLECP to the town meeting for approval.

(i) Presentation. The presentation to the Town Meeting shall contain, but not be limited to, the following information:

- the SLECP name (If any);

- Preliminary site layout, which shall contain the boundaries, of the SLECP tract, proposed structures, drives, parking, landscaping, screening, fences, walls, walks and outdoor lighting.

- Preliminary topography and drainage plan (s);

- Preliminary utility and landscaping plan (s);

- Preliminary arthitectural plan (s)

(ii) Approval. NO SLECP shall be approved by the Town Meeting except by a two thirds vote of those present and voting.

(2) No proposed SLECP which has been unfavorably acted upon by the town meeting shall be considered by the Town Meeting within two years after the date of such unfavorable action.

(3) After approval by the Town Meeting, including such cases where Town Meeting approval has been deemed to have been granted, an application shall be submitted to the board of appeals for a special permit in accordance with all the procedures for approval hereinafter set forth. A special permit shall be issued only if the board of appeals shall find that the plans submitted to it conform substantially to the terms of the approval granted by the Town Meeting and provided further that such permit shall be issued in conformance with the provisions of this By-Law. the board of appeals may, in its discretion, permit minor deviations from the preliminary application as approved by the Town Meeting so long as it finds that such deviations are not substantially inconsistent with the Town Meeting approval.

(b) Application to Board of Appeals.

After approval by the Town Meeting in accordance with Subsection 4939 (a), any person who desires a special permit for a SLECP shall submit a application in writing in such form as the board of appeals may require which shall include the following:

(1) A development statement including a petition, a list of parties in interest with respect to the SLECP tract, the names and specific functions of the development team and a site evaluation statement. The statement shall set forth the development concept in detail, including in tabular form the number of facilities, type, estimated resident population, size (number of bedrooms, floor area) ground coverage, the area of the SLECP and Common Open Space, specifying the portions of each which is situated within wetlands or Floodplain District as a percentage of the total area of the SLECP tract and a development schedule for all site improvements together with copies of all proposed instruments, including the Common Open Space perpetual restriction.

(2) Development plans bearing the seal of a Massachusetts Registered Architect, Registered Civil Engineer or similar professional as appropriate and consisting of:

(i) Site Plans and Specifications showing all site improvements and meeting, to the extent applicable, the requirements set forth for a Definitive Plan in the Subdivision Rules and Regulations of the Planning Board and/or Site Plan in section 1420 of this By-Law.

(ii) Site perspective, section, elevations and typical floor plans;

(iii) Detailed plans for disposal of sanitory sewer and surface drainage; and

(iv) Detailed plans for landscaping.

(3) The Board of Appeals shall, within ten days of receipt of an application under Section 4900, refer the application to the Planning Board, Conservation Commission, Department of Public Works, Board of Health and

Building Inspector for written reports and recommendations and no decisions shall be made until such reports are returned or 35 days have elapsed following such referral without receipt of such reports.

(4) Planning Board Report and Recommendation.

The Planning Board shall review the petition and plans and shall submit in writing to the board of appeals its report and recommendations relating to the proposed development, including at least the following:

(a) An evaluation of the natural terrain of the SLECP tract and surrounding areas and of the neighborhood in which the tract is situated.

(b) An evaluation of the proposed development, including the design and use of buildings, roads, utilities, drainage, and of the open spaces of pedestrian and vehicular circulation of the location and adequacy of parking and of the provisions for grading, landscaping and screening.

(c) Its opinion as to whether the proposed site layout, number, type, size and configuration of housing and other structures constitute a suitable development for the neighborhood within which it is located.

(d) The effect of the proposed layout on the town's existing roadways, water supply and sewage disposal facilities.

(e) The statement that the applicant's plans comply, as applicable, with the Subdivision Rules and Regulations and/or site plan review requirements of the planning board or, wherever such plans do not comply, a statement of the respects in which they do not so comply.

(f) Recommendations for the granting or denial of the Special Permit, including recommendations for modifications, restrictions or requirements to be imposed as a condition of granting the Special Permit.

(5) Conservation commission's Report and

Recommendations.

The Conservation Commission shall review the petition and plans and shall submit in writing to the Board its report and recommendations upon the degree to which the proposed project enhances the conservation of significant environmental qualities, including at least:

(a) An evaluation and opinion upon the degree to which the project itself affects critical environmental areas.

(b) An evaluation and opinion upon the degree to which the Common Open Space conserves:

(i) Critical environmental areas and provides a valuable outdoor resource:

(ii) Enhances the long-term conservation of critical environmental areas unique natural features, scenic vistas or potential for existing farmland; or

(iii) Provides a valuable addition to the open space resources of the Town

(6) Board of Appeals Grant.

A Special Permit may be issued under this Section only if the board of appeals finds that the SLECP conforms to the requirements and is in harmony with the general purpose and intent of this Section, and that the site layout, number, type and size of buildings and structures constitute a suitable development for the neighborhood in the vicinity of the SLECP. If a Special permit is granted the Board of Appeals may impose as a condition thereof that the installation of municipal services and construction of interior drives within the SLECP shall comply, to the extent applicable, with the requirements of the Subdivision Rules and Regulations of the Planning Board, and may require sufficient security to ensure such

compliance and the completion of planned recreational facilities and site amenities and may impose such additional conditions and safeguards as public safety, welfare and convenience may require, either as recommended by the Planning Board or Conservation Commission or upon its own initiative. The Board of Appeals shall give due consideration to the reports of the Planning Board and Conservation Commission and if the decision of the Board of Appeals differs from the recommendations of the Planning Board or Conservation Commission, the reasons therefor shall be stated in writing.

The Board of Appeals, as a condition of a Special Permit issued under Section 4900, shall impose appropriate limitations and safeguards to insure the minimum age requirement and maximum permissible density shall be maintained within the SLECP in perpetuity. Such limitations and safeguards may be in the form of deed restrictions, resale monitoring, requirements for age verification of purchasers and/or tenants, rent level and condominium fee penalties and the like.

(c) Application to Planning Board.
After approval by the Town Meeting in accordance with Subsection 4930 (a) and the issuance of a special permit by the Board of Appeals in accordance with Subsection 4939 (b), any person proposing a SLECP shall then submit and application in writing to the Planning Board for site plan review and the Planning Board shall process and act upon said application in accordance with the provisions of Section 1400 of the by-law.

AND ADDING A NEW SECTION TO THE RESIDENTIAL USED SET FORTH UNDER SECTION 2300 AS FOLLOWS:

Residential Uses														
Single Family Dwelling	P	P	P	P	O	0	O	O	O	O	O	O	O	O
Two Family Dwelling	O	O	P	P	O	O	O	O	O	O	O	O	O	O
Multifamily Dwelling	O	O	O	PB	O	O	O	O	O	O	O	O	O	O
Conversion of Dwellings (see sec 2560	O	BA	P	BA	O	0	O	O	O	O	O	0	O	O
Boarding Houses	O	O	P	0	O	P	O	P	O	O	O	0	O	O
Mobile Home	O	O	O	O	O	O	O	O	O	O	P(6)	O	O	O
Cluster Development	PB	PB	O	O	O	O	O	O	O	O	O	O	O	O
Senior Living and Elder Care Projects	0	BA	BA	BA	BA	BA	O	BA	BA	O		O	O	O

A lengthy question and answer period took place. David McLachlan, Glenn Thoren, Barbara Scavezze, Dean Camerias, George Merrill, Paul Gleason, Chris Garrahan, questioned the acreage, the age of 50, professional review of the by-law, taxes to be paid if a non profit group builds a complex. Bob Morse research the other communities where the by-law has been passed and shared the information. 95% of the by-law comes from the Town of Bedford by-law, which was done for one specific project. Some of the sections in the proposed article were changed from those passed in the other Towns. He felt that the Town should be careful of passing a by-law that would allow over building on limited acreage. William Dalton felt that the Board of Appeals was more qualified than the Representatives when it came to reading and understanding the information, and that they should be the ones who vote and make a recommendation not the Town Meeting Body. He asked for Town Counsel's opinion on what would be in the best interest of the Town. James Harrington, Town Counsel came forward and said that he was troubled by the removal of the need to go to any Town Board before Town Meeting. He was troubled that he was not asked for his review of the by-law, and the fact that the Planning Board should be the ones who study, prepare, and present to the Body any major zoning by-law, not a developer. Samuel Poulten moved to amend the article with the wording: To require that Elder Care/Senior Living projects first be presented to the Zoning Board and Planning Board for their recommendations prior to action by Town Meeting. James Sousa cautioned the Body that they should concentrate on the by-law, not who was going to review any project. If this by-law passes this is how the procedure will be followed, regardless who recommends whatever. The Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the motion to amend. The Board of Selectmen also recommended the motion. The Moderator asked for a show of hands, motion defeated. Thomas Welch spoke in favor of the article. Michael Sokol moved the question to stop debate. The Moderator asked for a show of hands, motion carried. The Moderator asked for the Finance Committee's recommendation on the article. The Finance Committee did not recommend the

article. The majority of the Board of Selectmen did not recommend the article. James Good Chairman of the Planning Board read the Planning Board's recommendation. The Planning Board held a Public hearing on April 13, 1994 on the above mentioned article. At the meeting of April 27, 1994, the Planning Board voted (6-1) to recommend an amendment to the Town of Chelmsford Zoning by-laws by adding a new section under Section 4900 Senior Living and Elder Care Projects, as amended. The Planning Board will only make this recommendation based on a new provision being included. They recommend that under Section 4939 Procedure for Approval, (b) Grant, the following restrictions are added to insure the future availability of these units for occupancy by residents 50 years or older, be added. The Planning Board recommended the addition as follows:

The Board of Appeals, as a condition of a Special permit issued under Section 4900, shall impose appropriate limitations and safeguards to insure the minimum age retirement and maximum permissible density shall be maintained within the SLECP in perpetuity. Such limitations and safeguards may be in the form of deed restrictions, resale monitoring, requirements for age verification of purchases and/or tenants, rent level and condominium fee penalties and the like. The Moderator asked for a show of hands on the article as amended. Motion defeated.

UNDER ARTICLE 5 Chairman of the Planning Board James Good moved that the Town vote to approve an Independent Living Project under section 4900 of the Zoning By-law to be developed on a parcel of land, containing approximately 21.80 acres, situated on the easterly side of Mill Road.

James Good Chairman of the Planning Board, moved to with draw this article due to the defeat of the previous article. The Finance Committee and the Board of Selectmen were in favor of the withdrawal. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 6 Selectman Robert Joyce moved that the Town vote to authorize the Board of Selectmen to acquire in fee simple the land with the buildings and trees thereon by purchase, eminent domain, or otherwise the property located at 24 Central Square, Chelmsford , Massachusetts, and further described in the deeds recorded in the Middlesex North District Registry of Deeds in Book 992, Page 429 and Book 1018, Page 163; for the purpose of providing municipal parking and to see if the Town will vote to borrow they sum of $101,000.00 to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking.

Town Manager Bernard Lynch explained that this property is located in Central Square. The Board of Selectmen had voted a year ago to remove parking spaces in front of the

bank. By purchasing or taking the property by eminent domain, addition parking can be regained for the businesses located in the square.

A number of Representatives spoke against the article. The concern was of taking down the building when it could be possibly sold to someone who would be willing to refurbish it. There is parking within the area, however, there is question about liability. Robert Joyce said many of the business people express the need for additional parking. Businesses are leaving the square and going else where. He asked for support of the article and added that the town could float a five year bond and install meters to help defray the costs. The Moderator asked for the Finance Committee's recommendation. The Finance Committee was against the article. Chairman Dwight Hayward said that the committee felt it was an expensive parking lot. The Board of Selectmen voted four to one in favor of the article. More discussion took place. Henrick Johnson spoke in favor of the article. Matthew Doyle moved the question. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator asked for a show of hands, motion defeated.

Michael Sokol moved to adjourn the Special Town Meeting and the Annual Town Meeting to Monday May 2, 1994 to the Senior Center at 7:30 PM. The Moderator asked for a show of hands, motion carried. The meeting adjourned at 10:55 PM.

Dennis E. McHugh, Moderator	Mary E. St.Hilaire, Town Clerk

ADJOURNED SPECIAL TOWN MEETING
MAY 2, 1994

The Adjourned Special Town Meeting was called to order at the Senior Center by the Moderator Dennis E. McHugh at 7:35 PM, who recognized the presence of a quorum. There were 150 Town Meeting Representatives present.

The Moderator explained that the first order of business was to be article three, which had been tabled and to be acted upon at the conclusion of article six.

UNDER ARTICLE 3 W. Allen Thomas moved that the Town vote to transfer the sum of $5,000.00 from available funds from unexpended bonds under Article 13 of the Annual Town Meeting of 1988 for the purpose of preparing plans and specifications for renovating the girls locker room facilities at Chelmsford High School to more closely reach parity with the boys locker room facilities Chelmsford High School, said contracts to be made under the supervision of the Athletic Task Force Committee.

James Moriarty of the Athletic Task Force explained the article. When the School was built in 1973 the locker rooms were installed, however sometime on or about 1980, the boys locker room was upgraded. There is a definite need for the upgrade. The Task force is asking for $5,000.00 at this time in order to make a complete study of the total expense. They will present a report with figures and plans at the October meeting and at which time make a request for the amount of monies needed. Town Manager Lynch explained that this was going to be a capital planning article, but instead withdrew the project for now and will deduct the $5,000. from the actual amount when the final figure is determined. A numerous amount of questions were asked. Michael Sokol moved the question. The Moderator asked for the recommendation from the Finance Committee. The Finance Committee was in favor of the article. The Board of Selectmen supported the article. The Moderator asked for a show of hands on the motion to stop debate. Motion carried, unanimously. The Moderator then asked for a show of hands on the article, motion carried, unanimously.

UNDER ARTICLE 7 Town Manager Bernard Lynch moved that the Town vote to transfer the sum of $95,000. from Line Item 31, Interest to amend FY94 Budget by increasing Line Item 29, Undistributed Expenses.

Bernard Lynch explained that this amount is for the Middlesex County Retirement System. The Finance Committee and the Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

Seeing that there was no further business at hand, the Moderator adjourned the Special Town Meeting sine die at 8:10 PM.

The Adjourned Annual Town Meeting reconvened at 8:10 PM

UNDER ARTICLE 5 Chairman of the Sewer Commission John Emerson Jr moved that the Town vote to amend the Chelmsford Home Rule Charter under part VIII Transitional Provisions, Section 8-5 (1) Time of Taking Effect, by deleting the following:

(1) The Sewer Commission shall cease to exist and be dissolved on January 1, 2005, and all duties, powers, functions and assets shall be assigned to the department of public works or its successor agency.

and add the following as Part VIII, Section 8 - 5 (1):

(1) The Sewer Commission shall cease to exist and be dissolved upon completion of the sewer project at which time all duties, powers, functions and assets shall be assigned to the department of public works or its successor agency.

Chairman of the Sewer Commission, John Emerson explained the purpose of the article. The Commission felt that they should stay elected and in control until the completion of the entire sewer project. To date 43% of the town wide project is completed. Once the project is completed over 68% of the Town will be sewered. The remaining areas to be sewered include: The Westlands, Freeman Lake Area, Westford St Area, North Road Area, East Chelmsford, Hart Pond, and approved petitioned areas.

Any monies for projects have to be requested so far in advance of the actual construction of a phase that an elected board has more clout on the Federal or State level when the time comes for requesting funding. He further explained that by being an elected board vs an appointed board more accountability is expected by the taxpayers. An elected board has control over the fee's etc. An appointed Board would not necessarily have this control. This would require a question to be put on the April 1995 Town Ballot.

A numerous amount of questions were asked. One was why not just extend the time period for another five or ten years? It was explained that this required a change to the charter so it would make more sense to dissolve the commission when everything was done rather then have to keep coming back amending the charter and putting a question on the ballot. The Moderator asked for Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen recommended four in favor to one absent on the article. Many Representatives spoke in favor of the article.

State Laws are going to become more strict regarding septic systems and the need is there to keep the Commission. Edward Marshall moved the question to stop debate. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator attempted for a vote by way of a show of hands, a 2/3's vote is required, the following tellers came forward and conducted a hand count: Dorothy Frawley, Patricia Plank, Lucy Simonian, Jean Horgan. Yes 126 No 8 2/3's is 89 the motion carried.

UNDER ARTICLE 6 Christopher Garrahan moved that the Town vote to amend the General By-laws Article XI General Wetland By-Law Section 1. Applications by deleting the last sentence of the second paragraph and inserting the following in its place:

"Provided however that the construction of any building as defined herein on any lot having an area of 40,000 square feet or more, shall be prohibited within fifty (50) feet of any bank, fresh water wetland, beach, flat, marsh, meadow, bog, swamp, bordering on any estuary, creek, river, stream, or lake or any land under said waters and any parking lot containing 10 or more parking spaces on any lot having an area 40,000 square feet or more, shall be prohibited within twenty-five (25) feet of any bank, fresh water wetland, beach, flat, marsh, meadow, bog, swamp, bordering on any estuary, creek, river, stream, or lake or any land under said waters."

The Finance Committee and the Board of Selectmen were in favor of the article. David McLachlan of the Conservation Commission, moved to amend the article by changing the section which says twenty-five (25) feet to read fifty (50) feet of any bank, fresh water wetland etc. David McLachlan explained the amendment. Presently a parking lot run off is more damaging then a run off from a building. Glenn Thoren supported the amendment. Robert Joyce asked how the rest of the Conservation Commission felt about the amendment. Christopher Garrahan said that enforcement may be difficult. John Harrington spoke against the amendment. The Moderator asked for the Finance Committee's recommendation. The Finance Committee was in favor of the amendment. The Board of Selectmen supported the amendment. The Moderator asked for a show of hands on the motion to amend, motion carried. He then asked for a show of hands on the article as amended, motion carried and reads as follows:

To see if the Town will vote to amend the General By-laws Article XI General Wetland By-Law Section 1 Applications by deleting the last sentence of the second paragraph and inserting the following in its place:

Provided however that the construction of any building as defined herein and any parking lot containing 10 or more parking spaces on any lot having an area of 40,000 square feet or more, shall be prohibited within fifty (50) feet of any bank, fresh waters wetland, beach, flat, marsh, meadow, bog, swamp, bordering on any estuary creek, river, stream, or lake or any land under said waters.

UNDER ARTICLE 7 Christopher Garrahan moved that the Town vote to amend the General By-laws, Article XI General Wetlands By-Law Section 16 Definitions subsection (e) by adding the following sentence:

"The boundary of these wetlands is the line within which fifty (50) percent or more of the vegetation consists of wetland plant species as set forth in Massachusetts General Laws Chapter 131, Section 40 and in situations where a dispute exists the line within which the soil conditions meet the technical criterion of a hydric soil as defined by currently approved Army Corps of Engineers delineation manual.

Christopher Garrahan explained the article. The Finance Committee supported the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 8 Town Manager Bernard Lynch explained that the Town is selling assets that it does not need. This article and the following seven is about land that is town owned. In order to sell it, the town must conform to State Law Chapter 30B and go out for competitive bid. This land was taken due to back taxes being owed. Christopher Garrahan questioned why the land wasn't deeded over to the Town? If the land is unbuildable due to being wet then it shouldn't be sold off, this is one way that the Town could preserve it's wetlands and open space. Robert Hall questioned if it was necessary to say minimum bid amount should be stated in the article. Town Counsel James Harrington said that it could be added. Robert Hall moved to amend the article by adding the wording minimum bid. The Finance Committee and the Board of Selectmen supported the article. William Dalton moved to delete the motion under this article and made the following motion: That the Board of Selectmen be authorized to transfer management and control of a certain parcel of land on 13 Harold Street, shown as Lot 24 on Assessor's Map 132 containing 25,170 square feet more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6218 Page 66, to the Conservation Commission pursuant to M.G.L. Chapter 40 section 8C.That the Town of Chelmsford deed this lot control and supervision of the Conservation Commission. William Dalton said that this amendment could be applied to all the land articles 8 thru 15,if so voted. Robert Hall withdrew his motion. The Finance Committee was in favor of the amendment. The Board of Selectmen were in favor of the amendment. Questions were asked concerning who would maintain the property. The owner would maintain it. The Town is the

owner, so nothing would change. Ronald Wetmore speaking as a water commissioner, said that the commissioners would be in favor of because it would protect the water wells and open space. The Moderator asked for a vote on the motion to amend. Motion carried. He then asked for a show of hands on the main motion, motion carried, unanimously.

UNDER ARTICLE 9 William Dalton moved to delete the motion under this article and made the following motion: That the Board of Selectmen be authorized to transfer management and control of a certain parcel of land on 11 Harold Street, shown as Lot 25 on Assessor's Map 132 containing 29,060 square feet more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6218 Page 67, to the Conservation Commission pursuant to M.G.L. Chapter 40 section 8C. The Moderator asked for the Finance Committee and Board of Selectmen's recommendation. The Finance Committee was in favor of the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands on the motion to amend, motion carried. He then asked for a show of hands on the article as amended, motion carried unanimously.

UNDER ARTICLE 10 William Dalton moved to delete the motion under this article and made the following motion: That the Board of Selectmen be authorized to transfer management and control of a certain parcel of land on University Lane, Shown as Lot 26 on Assessor's Map 133 containing 1.5 acres more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6250 Page 134, to the Conservation Commission pursuant to M.G.L. Chapter 40 section 8C. The Moderator asked for the Finance Committee and Board of Selectmen's recommendation. The Finance Committee was in favor of the article. The Board of Selectmen were in favor of the article. Brad Emerson spoke against the article. Christopher Garrahan spoke in favor. Barry Balan moved the question. The Moderator asked for a show of hands on the motion to stop debate. Motion carried, unanimously. The Moderator asked for a show of hands on the motion to amend motion carried. He then asked for a show of hands on the article as amended, which left the Chair in doubt. The tellers came forward and a hand count was taken. Yes 108 No 23 2/3's is 87, the motion carried.

UNDER ARTICLE 11 Bernard Lynch explained that it was planned to dismiss this article, due to the fact that the land abutts Land Trust Land. William Dalton moved to delete the motion under this article and made the following motion: That the Board of Selectmen be authorized to transfer management and control of a certain parcel of land on University Lane shown as Lot 45 on Assessor's Map 133 containing 2.15 acres more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6250 Page 135, to the Conservation Commission pursuant to M.G.L. Chapter 40 section 8C. The Moderator asked for the Finance

Committee and Board of Selectmen's recommendation. The Finance Committee was in favor of the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands on the motion to amend, motion carried. He then asked for a show of hands on the article as amended, motion carried unanimously.

UNDER ARTICLE 12 William Dalton moved to delete the motion under this article and made the following motion: That the Board of Selectmen be authorized to transfer management and control of a certain parcel of land on South Row Street, shown as Lot 25 on Assessor's Map 141 containing 15,000 square feet more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6250 Page 136, to the Conservation Commission pursuant to M.G.L. Chapter 40 section 8C. The Moderator asked for the Finance Committee and Board of Selectmen's recommendation. The Finance Committee was in favor of the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands on the motion to amend, motion carried. He then asked for a show of hands on the article as amended, motion carried unanimously.

UNDER ARTICLE 13 John Emerson questioned if this could be an actual building lot. Town Manager Bernard Lynch said there was a possibility that it could be combined with another lot and become a buildable lot. The Finance Committee and the Board of Selectmen were in favor of the article. Michael Sokol moved the question. The Moderator asked for a show of hands, motion carried. He asked for a show of hands on the article. Motion carried, unanimously. The article reads as follows: Selectman Robert Joyce moved that the Town vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined all right, title and interest, if any held by the Town, in a certain parcel of land on Dover Street, shown as Lot 28 on Assessor's Map 45, containing 5000 square feet more or less; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2153, Page 301.

UNDER ARTICLE 14 Bernard Lynch explained that this land has frontage on Billerica Road and abuts route three. It is an unbuildable lot. William Dalton moved to delete the motion under this article and made the following motion: That the Board of Selectmen be authorized to transfer management and control of a certain parcel of land on Billerica Road shown as Lot 5 on Assessor's Map 119 containing 1.26 acres more or less and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6761 Page 165, to the Conservation Commission pursuant to M.G.L. Chapter 40 section 8C. The Moderator asked for the Finance Committee and Board of Selectmen's recommendation. The Finance Committee was in favor of the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands on the motion to amend, motion carried. He then asked for a show of

hands on the article as amended, motion carried unanimously.

UNDER ARTICLE 15 Selectman Robert Joyce moved that the Town vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined all right, title and interest, if any held by the Town, in a certain parcel of land off Second Street shown as Lot 32 on Assessor's Map 130, containing 4127 square feet more or less; and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 6933, Page 38.

Bernard Lynch explained that this land has an assessed value of $26,000. Christoper Garrahan felt it should be sold. The Moderator asked for the Finance Committee's recommendation. The Finance Committee supported the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands on the article. Motion carried, unanimously.

UNDER ARTICLE 16 Charles Piper moved that the Town vote to appoint a committee to consist of one Town Meeting Representative from each precinct to be elected by the Representatives of that precinct for the purpose of conducting a study and preparing a report of recommendation to the Town Meeting to increase the accountability of Town Meeting Representatives. These recommendations may take the form of proposed amendments to the General Bylaws or Charter as deemed appropriated. The report to be presented at the Fiscal 1995 Fall Annual Town Meeting.

Charles Piper explained the article. He gave a presentation which showed the various hand counted votes taken vs the recorded attendance on the particular night. He felt that more accountability should be made. A number of questions were asked. The Finance Committee was in favor of the article. A majority of the Board of Selectmen were in favor of the article. Michael Sokol spoke against the article. Thomas Moran moved to amend the article. By striking the words increase the accountability of the Town Meeting Representatives. And insert in it's place: Study voting procedure of Town Meeting Representatives and make recommendations to Town Meeting. A discussion took place. The Finance Committee was in favor of the motion to amend. The Board of Selectmen were in favor of the amendment. The Moderator asked for a show of hands on the motion to amend, motion carried. More discussion took place. Jacob Sartz spoke against the article. Bill Dalton spoke in favor of the article. John Emerson moved the question to stop debate. The Modertor asked for a show of hands, motion carried. The Moderator then asked for a show of hands on the main motion as amended, which left the Chair in doubt. The tellers came forward and a hand count was taken. Jeff Stallard question if a roll call could be taken at this time. The Moderator explained that it could not. He further explained that this

was due to the tellers being in the process of taking a hand count. If at the conclusion of the hand count and after the vote is read, then the vote could be reconsidered at which time a roll call could be taken if so desired. The result of the hand count Yes 69 No 65, the motion carried. The Article reads as follows:

Charles Piper moved that the Town vote to appoint a committee to consist of one Town Meeting Representative from each precinct to be elected by the Representatives of that precinct for the purpose of conducting a study and preparing a report of recommendation to the Town Meeting to study voting procedure of Town Meeting Representatives and make recommendations to Town Meeting. These recommendations may take the form of proposed amendments to the General Bylaws or Charter as deemed appropriated. The report to be presented at the Fiscal 1995 Fall Annual Town Meeting. (see May 5th Mtg for members)

Cheryl Warshafsky moved to adjourn the Annual Town Meeting until Thursday May 5, 1994 at 7:30 PM at the Senior Citizen Center. Motion carried. The meeting adjourned at 11:30 PM.

Dennis E. McHugh Moderator	Mary E St.Hilaire, Town Clerk

ADJOURNED ANNUAL TOWN MEETING
May 5, 1994

The Adjourned Annual Town Meeting was called to order at the Senior Center by the Moderator Dennis E. McHugh at 7:35 PM, who recognized the presence of a quorum. There were 138 Town Meeting Representatives present.

The Moderator announced that all the Representatives were to gather within their precincts and elect among them one representative to the Voting Procedure Committee, so named by the Moderator. This Committee was established under article 16 at the May 2, 1994 adjourned Annual Meeting. Once a person has been elected they are to give the name to the Town Clerk for the record.The Members elected to the Voting Procedure Committee are as follows:

Pct 1 Sandra Kilburn (voted 5-9-94 mtg due to lack of quorum of Reps present at the time)
2 George Merrill
3 Susan Olsen
4 Jacob Sartz
5 Steven Mallette
6 Edward Marshall
7 Leonard Doolan
8 Gail Poulten
9 Alan Pajak

UNDER ARTICLE 17 Selectman Robert Joyce moved to waive the reading of the article. The Moderator asked for a show of hands on the motion, motion carried. Town Manager Bernard Lynch said that this article is the result of many meetings with the Business Community of the Town. The funding for this proposed article is derived from the local room occupancy tax currently in effect. This article seeks to designate a portion of those funds as explained in the article. Douglas Houser of the Business Association came forward and explained the article. The purpose was to promote The Town of Chelmsford. The article would reflect that the Town supports its local business establishments, many of which are owned by residents of this community. It would be a reinvestment into the community. The Finance Committee wanted to hear more discussion before recommending the article. A majority of the Board of Selectmen supported the article. Numerous questions were asked. John Harrington explained that $2.10 is paid per room per night, which amounts to approximately $30,000. a year in room taxes paid to the town. The Town Meeting Body would decide each year the percentage that could be taken from the fund and used. The Business Association would like to promote exit 34 off of 495. This is the area where two of the local hotels are located and other establishments. He asked for support of the article. Ed Cady questioned who would expend the funds. The Town Manager explained that there would be a five person committee appointed. Michael Bahia asked if this would be a annual article. The Town Manager said it would

be. David McLachlan spoke against the article. Matthew Doyle said more information should be given. The Finance Committee recommended the article. The Moderator asked for a vote by way of a show of hands. Motion defeated. For the record the article read as follows:

Town Manager Bernard T. Lynch moved to see if the Town will vote to petition the Great and General Court of the Commonwealth of Massachusetts to adopt Special Legislation pertaining to the Town of Chelmsford as follows: AN ACT ESTABLISHING A VISITOR PROMOTION FUND AND ECONOMIC DEVELOPMENT FUND IN THE TOWN OF CHELMSFORD. Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws or any other general or special law to the contrary, the Town of Chelmsford is hereby authorized to establish in the town treasury a special account to be known as the "Visitor Promotion and Economic Development Fund," into which account may be deposited certain receipts which comprise a portion of the total local room occupancy tax received annually by the Town under the provisions of section three A of Chapter sixty-four G of the General Laws.

SECTION 2. For the purposes of establishing the portion of the local room occupancy tax that may be deposited in the Visitor Promotion and Economic Development Fund the town is hereby authorize to deposit, commencing during the fiscal year nineteen hundred and ninety-five, up to twenty-five percent of all local room occupancy tax receipts; in fiscal year nineteen hundred and ninety-six, up to thirty-five percent of all receipts from said tax; in fiscal year nineteen hundred and ninety-seven, up to forty-five percent of all receipts from said tax; and in each fiscal year subsequent to fiscal year nineteen hundred and ninety-seven, up to forty-five percent of all local room occupancy tax receipts may be deposited in said fund. All interest earned from said fund shall be treated as general fund revenue of the town of Chelmsford. The exact percentage of funds to be designated each fiscal year shall be determined by vote of Town Meeting at the spring Annual Town Meeting.

SECTION 3. There is hereby established in the town of Chelmsford a visitor services board consisting of five members to be appointed by the Town Manager as follows: one member nominated by the Chelmsford Business Association, Inc., one member nominated by the Regional Visitors Council, and three members at large. If any of the organizations with nominating privileges hereunder cease to exist or operate, the Town Manager may appoint in place of such nominees individuals qualified to serve on said visitor services board as appointees at-large. The Town Manager shall fill any vacancies in said visitor services board in a like manner.

SECTION 4. The visitor services board shall recommend to the Spring Annual Town Meeting, commencing with the nineteen hundred and ninety-five spring town meeting, programs and projects that enhance the beautification, recreational resources, public safety, promotional and marketing activities, events, services, and public improvements which are of clear mutual interest to the residents and visitors to the Town of Chelmsford and which strengthen said town as an attractive center for tourism, conventions, and related purposes of the visitor industry. The cost of such programs shall not exceed the funds available in the Visitor Promotion and Economic Development Fund , and shall be allocated by vote of the Town Meeting as follows: no less than ten percent and no more than forty percent of said Visitor Promotion and Economic Development Fund shall be used for public improvements including beautification, recreational resources, and public safety related to the mutual needs of visitors and residents with the balance available for promotional programs and projects.

SECTION 5. Upon approval by town meeting of the programs, services and other projects set forth under section four of this act, the visitor services board with the approval of the town manager shall be empowered to expend from said special revenue fund for the uses authorized by town meeting and may for the purposes of this section designate funds to be expended under the direction of the Chelmsford department of public works or other town agency as applicable; or obtain competitive proposals or bids for any services, programs or projects to be provided to the town by vendor contracts, all in accordance with the requirements of chapter thirty B of the General Laws or any other general law governing public bidding and procurement as may apply to the program or project. Any and all contracts for services, programs and projects authorized hereunder shall be awarded and executed by the town manager on the recommendation of the visitor service board, subject to compliance with applicable procurement laws of the commonwealth.

UNDER ARTICLE 18 Mary Franz of the School Committee moved that the Town vote to accept the provisions of Section 83 of Chapter 71 of the Acts of 1993, as amended, known as the "Education Reform Act of 1993" to provide for an Early Retirement Incentive Program for the members of the Massachusetts Teacher's Retirement System employed by the Chelmsford Public Schools, with said program to include a five year additional credit for age, service, or a combination thereof and limited to 7 members who have met application requirements.

Robert Cruickshank, Business Manager for the School Department presented the article. This is a portion of the Education Reform Act that was passed by Legislation in 1993 and the Town had two years to accept it. It was withdrawn last year, and now has come before the body for approval. In the long run it would save the Town some money and keep

teachers who may be laid off next year. Originally thirty people had applied for the early retirement. However, due to the extreme high cost, only seven people will be allowed to take advantange of the it. The potential retiree must have twenty years or more service with the system. They would be allowed to add time to either their years of service, or to their age, or combination of both. The potential retirees are chosen by certain application requirements. The state will make the final choice based on a state wide eligibility list. The state contributes half the cost of the retirement incentive. The estimated cost to the Town would be $32,000. over 15 years, for a total cost of $485,000. Teachers pay their own retirement. The Town does not contribute any monies. The Representatives asked many questions. The Finance Committee recommended the article. A majority of the Board of Selectmen recommended the article. A lengthy discussion took place. Ed Cady, Leonard Doolan spoke against the article. Sam Poulten spoke in favor. Brad Emerson moved the question. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator asked for a show of hands on the article,which left the Chair in doubt. The Moderator asked for the following tellers to come forward and take a hand count: Dorothy Frawley, Patricia Plank, Lucy Simonian, Jean Horgan. Michael Sokol called for a roll call vote. The Moderator explained that 40 or more representatives in favor are needed in order to have a roll call vote. He asked for a show of hands of those in favor of having a roll call. Result of the hand count was 72, a roll call vote was conducted.

The Moderator went over the procedure for conducting a roll call vote. The Town Clerk would call every name in each precinct and the representative would register a yea or a nea, or abstain. It was decided that yea or nea sounded to similar, therefore the response is to be yes or no. Mary St.Hilaire, began reading the names of the Representatives in precinct 1 through precinct 9, and she asked that when a representative's name was called, to stand and say their vote. This procedure took between 15 to 20 minutes. 162 names were called and recorded. The Moderator then allowed a one time chance for any representative to change their vote. One representative did change from a yes to a no. The total count was: Yes 92, No 43, 27 absent/abstain, the motion carried. **Note:** The actual results are on file in the Town Clerk's Office.

UNDER ARTICLE 19 Selectman Robert Joyce moved that the Town vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Engineer:

1. Kelshill Road
2. Rhum Circle
3. Minuteman Drive
4. Doris Drive
5. Shedd Lane Station 15+25.67 to station 26+59.0
6. McHugh Farm Lane
7. Waterford Place 8+29.67 to station 16+12.85

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and to see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and to see if the Town will vote to raise and appropriate the sum of $7.00 to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and to see if the Town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto.

James Pearson, Director of the DPW and Town Engineer explained the article. This is a yearly article and these streets have meet the Town's building requirements and the Town is ready to accept them. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 20 Town Manager Bernard F. Lynch, moved that the Town vote to transfer and appropriate from available funds or transfer and appropriate from the 1991 transportation Bond Issue as set forth in Chapter 33 of the Acts of 1991, a certain sum of money for the purpose of Chapter 90 expenditures.

The Town Manager moved to dismiss this article. The Finance Committee and the Board of Selectmen were in favor of dismissal. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 21 Town Manager Bernard F. Lynch, moved that the Town vote to transfer the sum of $12,500, from the sale of the Graves and Lots to the Cemetery Improvement and Development Fund.

The Finance supported the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 22 Town Manager Bernard F. Lynch moved that the Town vote to raise and appropriate or transfer from available funds a certain sum of money with which to meet bills from previous years.

Town Manager Bernard Lynch moved to dismiss the article. The Finance Committee and the Board of Selectmen were in favor of dismissal. The Moderator asked for a show of hands, Motion carried, unanimously.

UNDER ARTICLE 23 Town Manager Bernard Lynch moved to dismiss the article. The Finance Committee and the Board of Selectmen were in favor of dismissal. The Moderator asked for a show of hands, Motion carried, unanimously. For the record the article was as follows: That the Town vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 53 D "Recreation and Park Self-Supporting Service Revolving Funds".

UNDER ARTICLE 24 Selectman Robert Joyce moved to amend the figure to be $1,000. instead of $2,000. The Finance Committee was in favor. The Moderator asked for a show of hands on the motion to amend, motion carried. He then asked for a show of hands on the article as amended, motion carried, unanimously. The article reads as follows:

Bernard Lynch, Town Manager, moved that the Town vote to transfer the sum of $1,000 from Conservation fees under Wetlands Special Reserve Fund to reduce the Conservation Commission Budget Fiscal Year 1995.

UNDER ARTICLE 25 Chairman of the Sewer Commission John Emerson Jr moved that the Town vote to transfer $1,000,000.00 from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 1995 Budget.

The Moderator asked for the Finance Committee recommendation. The Finance Committee recommended the article. The Moderator asked for a show of hands on the article, Motion carried, unanimously.

Steve Mallette moved to adjourn the meeting until Monday May 9, 1994. Due to the next article being the budget he felt that the discussion would be lengthy. The Finance Committee was against the motion, because there were other articles that could be taken up if so desired. Selectman Robert Joyce moved to postpone the article until the conclusion of article 30. Steve Mallette withdrew his motion to adjourn. The Moderator asked for a show of hands on the motion to postpone article 26, motion carried.

UNDER ARTICLE 27 Town Manager Bernard F. Lynch moved that the Town vote to raise and appropriate the sum of $20,000. for the purpose of funding the sand lease approved by the Town under Article 12 of the 1989 Annual Town Meeting.

Bernard Lynch explained that this is a yearly item and asked for support of the article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 28 Town Manager Bernard F. Lynch moved that the Town vote to raise and appropriate the sum $19,000.00 to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford.

The Finance Committee and Board of Selectmen supported the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 29 Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $150,000.00 to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws Chapter 40, Section 6.

James Sousa questioned if this should be acted upon after the budget. Bernard Lynch said this wasn't necessary and it could be vote at this time. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 30 moved that the Town vote to appropriate the sum of $867,000.00 for the following capital projects:

DEPARTMENT	ITEM	BUDGET
Police	Four (4) Cruisers	65,000.00
School Dept	Auditorium Remodeling	30,000.00
	Baseball Field Fencing	15,000.00
	Water Back-flow Prevention	12,000.00
	Fire Alarm & Fire Doors	30,000.00
	Handicap Access	25,000.00
	Central Office Main Computer	150,000.00
	Computer Lab Middle School	50,000.00
	Lockers McCarthy	15,000.00
	Floor McCarthy	40,000.00
	HVAC Replacement	30,000.00
	Library Furniture	15,000.00
Data Processing	Equipment & Software	100,000.00
D.P.W.	Road Maintenance	200,000.00
	Dump truck with Sander	60,000.00
	One Ton Truck Parks Dept.	30,000.00
	TOTAL	**$867,000.00**

and to borrow the sum of $842,000.00 and transfer the sum of $25,000.00 from unexpended bond funds as follows: Article 13 of the Annual Town Meeting of 1988 the sum of $16,000.00; Article 16 of the Annual Town Meeting of 1992 the sum of $4,268.00; and Article 28 of the Annual Town Meeting of 1993 the sum of $4,732.00 to fund these obligations.

The Town Meeting Representatives asked questions about the items shown. The Finance Committee was in favor of the article. The Selectmen were in favor of the article. The Moderator asked for a vote on the article by way of a show of hands, motion carried, unanimously.

Selectman Robert Joyce moved to adjourn the meeting until Monday May 9, 1994 at 7:30 PM at the Senior Center. Motion carried, unanimously. The meeting adjourned at 10:20 PM.

Dennis E. McHugh Moderator	Mary E St.Hilaire, Town Clerk

5-5-94

TOWN MEETING PREPRESENTATIVES
PRECINCT 1

			MEETING DATES									
			AF									
Allison	Richard G.	189 Littleton Rd #48	Y									
Brough	Kathryn	14 High St	Y									
Currier	Marian D.	54 Boston Rd	Y									
Currier	Philip L.	54 Boston Rd	Y									
Good	James P.	4 Burning Tree Ln.	—									
Harvey, III	William L.	3 Manhattan Dr.	—									
Joyce	Robert P.	103 Turnpike Rd	Y									
Kaplan	Cynthia J.	22 Bartlett St	Y									
Kilburn	Sandra A.	11 Golden Cove Rd	N									
Lewin	Nina S.	1 Boyds Lane	—									
Martinez	Sandra B.	1 Carter Dr	—									
McCarthy	Elizabeth A.	48 Bartlett St	Y									
McClure	Martha	23 Billerica Rd	—									
McDougall	Frances T.	11 Dawn Dr	Y									
Rook	Jean B.	41 Westford St	—									
Sousa, Jr.	John B.	30 Worthen St B9	Y									
Spence	William E.	91 Billerica Rd	Y									
Wetmore	Ronald W.	247 Acton Rd	N									
TOTAL			10 ~~X~~ Y	2 N		6 A						

5-5-94

TOWN MEETING REPRESENTATIVES
PRECINCT 2

				MEETING DATES									
				Apr 18									
Bell	Barry T.	5 Mansur St		Y									
Carey	TImothy M.	16 Middlesex St. Apt #8	N	N									
Carkin	Richard E.	15 Sharon Av		N									
Clark	Bernard V.	11 Sharon Av		N									
Conlin	Francis M	14 John St		—									
Curran	Patrick Mike	54 Sherman St		N									
Dalton	Linda H.	12 Dartmouth St		—									
Dalton	William F.	12 Dartmouth St		Y									
Foster	Bonnie I.	31 Groton Rd		Y									
Foster	Harry A.	31 Groton Rd		—									
Foster	Jesse C.	31 Groton Rd		Y									
Hardy	Alan J.	17 Princeton St		—									
Harper, Sr	Bruce J.	9 Harvard St		N									
Merrill	George L.	108 Dunstable Rd		N									
Miskell	Francis G.	38 Groton Rd		N									
Norkunas	Stanley W.	58 Church St		N									
Stallard	Jeffrey W.	146 Tyngsboro Rd		Y									
Welch	Mary Jo	31 Kennedy Dr		N									
TOTAL													

(4 Y) (0 N)

5-5-94

TOWN MEETING REPRESENTATIVE
PRECINCT 3

			MEETING DATES									
			APR 19									
Abely	George F.	87 Swain Rd	—									
Curran	Michael F.	58 Crooked Spring Rd	Y									
Emerson, Jr	John P.	8 Loiselle Ln	Y									
Fisher	Kathryn M.	2 Kelshill Rd	Y									
Garrahan	Christopher T.	4 Maynard Circle	Y									
Gleason	Christine A.	7 Loiselle Ln	Y									
Hutchinson	Cathy A.	233 Main St	Y									
Knight	Nancy J.	29 Stonehill Rd	Y									
Lambert	D. Lorraine	91 Main St	N									
Lyons	Gerard J.	152 Dunstable Rd	Y									
Matzkin	Harold I.	B24 Scotty Hollow Dr	N									
McCall	Michael F.	151 Main St	Y									
McEnany	Henry R.	B18 Scotty Hollow Dr	Y									
Merriam	Carol W.	8 Lovett Ln	Y									
Moran	Thomas E.	19 Dennison Rd	N									
Olsen	Susan M.	140 Groton Rd	Y									
Welch	Thomas J.	56 Crooked Spring Rd	Y									
Wright	Douglas L.	256 Dunstable Rd	N									
TOTAL			124	4 N		1 Ab						

5-5-94

TOWN MEETING REPRESENTATIVES
PRECINCT 4

			MEETING DATES									
			AD 18									
Allen	Linda J.	9 Clancy St	Y									
Balan	Barry B.	17 Jessie Rd	Y									
Blomgren	Dolores A.	16 Oak Knoll Rd	N									
Coppinger	John G.	20 Ansie Rd	Y									
Firth, Jr	Thomas E.	15 Oak Knoll Av	N									
Hibbard	John R.	50 Manning Rd	Y									
Johnson, Jr	Henrick R.	53 Stonegate Rd	Y									
Manahan	Helen A.	26 Muriel Rd	N									
Marcella	Lynn M.	74 Carlisle St	N									
Martin	William D.	25 Empire St	Y									
O'Sullivan	Cheryl L.	10 Beaulieu St	N									
O'Sullivan	John G.	10 Beaulieu St	N									
Pacht	Gerald W.	44 Carlisle St	N									
Redican	Kathleen M.	80 Carlisle St	N									
Ripsom,Sr.	George A.	33 Porter Rd	N									
Sartz, III	Jacob P.	83 Gorham St	N									
Seidel	Carl W.	25 Ruthellen Rd	Y									
Sullivan,III	Daniel J.	4 Shedd Lane	Y									
TOTAL			7Y 10N 1AB									

5-5-94

TOWN MEETING REPRESENTATIVES
PRECINCT 5

			MEETING DATES									
			PRA									
Brooks	Robert E.	142 Park Rd	✓									
Carmeris	Dean	20 Higate Rd	✓									
Doyle	Matthew J.	14 Mansfield Dr	✓									
Hall	Robert D.	35 Maple Rd	✓									
Hillman	Kathllen F.	94 Proctor Rd	✓									
Mallette	Stephen J.	13 Wedgewood Dr	✓									
McLaughlin	David P.	118 Garrison Rd	✓									
Sockol	Michael N.	360 Littleton Rd	✓									
Stevens	Jonathan A.	126 Robin Hill Rd	✓									
Temple	Denise A.	17 Pinewood Rd	✓									
Temple	Steven J.	17 Pinewood Rd	✓									
Thomas, Jr	W. Allen	374 Littleton Rd	✓									
Thoren	Evelyn S.	18 Pinewood Rd	✓									
Thoren	Glenn R.	18 Pinewood Rd	✓									
Ward	Barbara	15 Pinewood Rd	✓									
Wilder	Bonnie G.	3 Higate Rd	✓									
Wilder	John W.	3 Higate Rd	✓									
Wojtas	Patricia	24 Elm St	✓									
TOTAL												

14 IN 7 Ab

5 - 5 - 94

TOWN MEETING REPRENTATIVES
PRECINCT 6

			MEETING DATES									
			Apr 18									
Burt	Earl C.	38 Woodlawn Av	—									
Carson	John W.	26 Ideal Av	—									
Delaney	Ruth K.	14 Evergreen St	N									
Dubner	Janet G.	46 Dalton Rd	Y									
Frantz	Daniel R.	34 Miland Av	Y									
Frantz	Mary E.	34 Miland Av	Y									
Gruber	Martin A.	8 Dalton Rd	—									
Hadley	Steven B.	2 Fern St	N									
Hall	Howard J.	5 Hillcrest Dr	Y									
Johnson	Margaret A.	38 Woodlawn Av	N									
Lawlor	Peter V.	50 Dalton Rd	Y									
Marshall	Edward S.	16 Colonial Dr	Y									
Marshall	M. Elizabeth	16 Colonial Dr	Y									
McLachlan	David J.	51 Brentwood Rd	Y									
Moores	Arthur J.	23 Steadman st	Y									
Nebalski	Ralph M.	10 Sunset Av	N									
Parquette	Michael R.	20 Sylvan Av	Y									
Warshafsky	Cheryl M.	2 Moonbeam Av	—									
TOTAL												

1-Y 4N 11 Ab

5-5-94

TOWN MEETING REPRESENTATIVES
PRECINCT 7

			MEETING DATES									
Carpenter	David A.	131 School St	Y									
Doolan, III	Leonard W.	52 Amble Rd	Y									
Dulchinos	Peter	17 Spaulding Rd	Y									
Emerson	Bradford O.	30 Lantern Lane	Y									
Fitzpatrick	Kathleen S.	15 Footpath Rd	Y									
Gates	Susan J.	7 Trotting Rd	Y									
Gleason	Paul F.	30 Pine Hill Rd	Y									
Hass	Judith	27 McIntosh Rd	Y									
Hayward	Dwight M.	59 Amble Rd	Y									
Leo	Steven P.	31 Thomas Dr	Y									
Miethe	Francis J.	10 Thomas Dr	Y									
Morabito	Linda G.	28 Clover Hill Rd	Y									
Ready	Bernard A.	31 Clover Hill Rd	Y									
Ready	Dennis J.	2 Abbott Lane	Y									
Scavezze	Barbara J.	3 Mountain Laurel Dr	Y									
Stark	Carol A.	4 Hostler Rd	Y									
Stubbs	Jonathan C.	121 School St	Y									
Wikander	Frederick W.	17 Wagon Trail Rd	Y									
TOTAL			124	3 N	2 Ab							

5-5-94

TOWN MEETING REPRESENTATIVES
PRECINCT 8

			MEETING DATES									
Abbott	John E.	384 North Rd	Y									
Cleven	Walter A.	4 Arbutus Av	Y									
Day	Richard J.	6 Merilda Av	Y									
Dufour	D.Maigread A.	20 Walnut Rd	—									
Fitzgerald	Marie M.	25 Garland Rd	—									
Gervais	Alexander W.	5 Arbutus Av	N									
Harbison	Katherine C.	28 Charlemont Court	Y									
Hulslander, Jr	Ralph J.	74 Smith St	Y									
Johnson	Peter G.	85 Lock Rd	—									
Keohane	William P.	82 Prescott Dr	Y									
Mackey	Robert P.	16 Columbia St	—									
Neild	Kathleen A.	5 Lafayette Terrace	Y									
Poulten	Bernice F.	16 Berkeley Dr	Y									
Poulten	Gail E.	16 Berkeley Dr	Y									
Poulten	Samuel	16 Berkeley Dr	Y									
Sousa	James A.	3 Pleasant St	Y									
Villano	Deborah	10 Gregory Rd	Y									
Weisfeldt	Stuart G.	13 Overlook Dr	—									
TOTAL												

5-5-94

TOWN MEETING REPRESENTATIVES
PRECINCT 9

			MEETING DATES									
			EM									
Abbott	Eleanor D.	8 Ranch Rd	—									
Bahia	Michael E.	36 Old Stage Rd	N									
Barre	Francis J.	3 Sandra Dr	Y									
Cady	Edward A.	10 Crockett Dr	N									
Christiano	C. Thomas	6 Drew Circle	N									
Consalvi	Steven Arthur	5 Kristen Dr	Y									
Elias	Donald L.	28 Regina Dr	N									
Elias	Phyllis M.	28 Regina Dr	Y									
Emmet	Henry T.	13 Smokerise Dr	Y									
Fudge, Jr	John S.	32 Janet Rd	N									
Galpin Jr	Allan T.	2 Santa Fe Rd	N									
Harrington	John G.	149 Boston Rd	Y									
Mahoney	Daniel F.	11 Craig Rd	—									
Morse	Robert C.	45 Clarissa Rd	Y									
Moyer	Alan L.	23 Clarissa Rd	Y									
Pajak	Alan R.	4 Sandra Dr	N									
Peterson	Frank R.	6 Laredo Dr	N									
Piper	Charles A.	4 Clarissa Rd	Y									
TOTAL												

ADJOURNED ANNUAL TOWN MEETING
May 9, 1994

The Adjourned Annual Town Meeting was called to order at the Senior Center by the Moderator Dennis E. McHugh at 7:40 PM, who recognized the presence of a quorum. There were 146 Town Meeting Representatives present.

The Moderator asked for Precinct One Representatives to gather and elect one person to go on the Voting Procedure Committee that was established under article 16 at the May 2, 1994 Town Meeting. Due to not enough representatives being present on May 5th, the Moderator made this the first order of business. Sandra Kilburn was elected and her name was added to the Committee.

UNDER ARTICLE 26 Town Manager, Bernard Lynch explained that there were changes in some of the figures and asked that the Representatives note the changes. The School Budget's total figure is to be $26,069,040.00, instead of $25,869,040.00. Under Public Safety, due to the elimination of the Public Safety Director position, Personnel Services should be $5,187,180. instead of $5,257,180. Under the Sewer Division section within the Public Works budget, Offset Receipts should be $520,000. instead of $490,000. Under Cemetery Department, Expenses, the figure is $12,324 from $25,865. The Commissioners agreed to supplement the account from their special accounts. He then went on with a presentation of the budget. He went over the budget process, discussed the revenue and expenditure highlights, and concluded with a discussion on the trends and spending analysis. Dr Moser, Superintendent of Schools came forward and presented the School Committee's budget request. The presentation consisted of three budgets, and what could be achieved or maintained under them. Even though the Town Manager has increased the School's budget, Dr Moser felt that an additional $100,000. was still needed. The Moderator asked if there were any questions, hearing none he went on and explained the procedure he was going to use concerning the budget. He would read the total figure in the grey area of the budget book, then proceeded to read the figures within the budget, asking if there was any need for discussion or questions. One vote will be taken at the conclusion which will be the total money needed to be raised and appropriated.

The Moderator began reading the individual lines and figures under Municipal Administration at the Law Department a discussion took place. William Dalton wanted to know what the expense figure was for. The Town Manager explained that this money is used during negotiations. The Moderator continued to read through the budget asking for any discussion. At the School Department a discussion took place. Michael Bahia cited personal reasons why he felt that the School was not as efficient as it should be. Kit Harbison asked if the figures that were presented for enrollment included any new children coming from proposed developments within the Town? Dr Moser

said that they did not. She then questioned if all the free cash was gone? Town Manger Bernard Lynch said that it was. She wanted to know what would happen if the budget passed unbalanced (this would happen if the School's budget was increased by $100,000). The Town Manager advised against doing this. However, if that is how the Representatives vote then the money will have to be raised somehow before the tax rate is set. John Carson asked where the money would come from. Either by way of an over-ride or within the Town's side of the budget. John Carson then moved that the School Departments budget figure be increased by $100,000 for a total figure of $26,169,040.00. Selectman Blomgren stated if given ten minutes that perhaps the Manager could find the money within the present budget. Town Manager Bernard Lynch explained that this is not so. The budget process is done over the course of many months and $100,000. can not be easily found without causing problems within the individual departmental budgets. The Moderator asked for the Finance Committee's recommendation on the motion. Chairman Dwight Hayward said that the members present voted two in favor, two against, and two abstained, therefor not recommendation could be made. The Board of Selectmen were not in favor. A discussion took place. Glen Thoren said that the School Department needed to have a five year plan, he supported the motion to amend. John Emerson spoke against the motion. It isn't right to take $100,000. from the municipal side, he'd rather see an over-ride. Tom Moran spoke against the motion. He reminded the Representatives that when he tried to re-open the West Fire Station, he had to show where the money would come from within the budget. Barry Balan spoke against the motion. Selectman Jeffrey Brem explained that the preparing of the budget is a long lengthy process, and asked that an unbalanced budget not be voted. Michael Sokol asked if the teacher's salaries could be frozen. Dr Moser explained that non-union personnel already are, however it would require re-negotiating the contracts. He was against the motion. Janet Dubner questioned if the money could come from the other departments? The Town Manager said that if the Representatives wanted an unbalanced budget then vote it and the problem will be addressed in the fall. Carl Olsson, Chairman of the School Committee expressed that it would not be fair for the students or staff if a budget is not agreed on prior to the fall. It would be better to know what the actual figure was going be to work with as soon as possible. Michael Sokol moved the question. The Moderator asked for a show of hands, which left the Chair in doubt. The following tellers came forward and a hand count was taken: Dorothy Frawley, Patricia Plank, Lucy Simonian, Jean Horgan. The result Yes 126 No 11 2/3's is 91 motion carried to stop debate. The Moderator asked for a show of hands on John Carson's motion, motion defeated. Barry Balan then made a motion to end debate and take a vote on the entire budget with a R & A figure of $48,855,485. The Moderator asked for the teller's to come forward. A discussion followed, Barry Balan withdrew his motion. Cheryl Warshafsky questioned why teacher positions have to be cut, it should be in administration. The Moderator

continued reading the budget, under Public Safety a discussion took place. Dennis Ready question now that there is no Public Safety Director and no Deputy Chiefs, who will pick up the responsibility. Selectman Blomgren explained that the position has been delayed at this time and will be examined more closely. Thomas Moran questioned if the present budget can handle all Fire Stations being opened. The Town Manager explained that all five stations will remained open. Jeff Stallard question the Police personnel situation. Chief Caron explained that three police graduates will be assigned to regular patrol as so as possible, thus three more detectives will be able to go back to their work. Kathleen Redican questioned the money under personnel, does this included union raises or would more money be needed. The Town Manager said that it's been three years since a increase, he may have to come back at a future town meeting requesting more money. Tom Moran questioned if all the fire stations will be manned? The Town Manager explained that periodically one may have to shut down due to lack of manning a station, but all stations are to remain open. The Moderator continued reading the budget, under the Sewer Division of the Public Works budget a questioned was raised and answered concerning the expenses. The Moderator continued under the Community Services the Veteran's Agent, Cheryl Warshafsky questioned if the present agent's salary is more than what was advertised? The Town Manager was not aware of any difference.
The Moderator continued reading. Under Undistributed Expenses Leonard Doolan questioned what was Chapter 32B Insurance. The Town Manager said that this is the employee's health insurance. John Coppinger questioned what was "out of state" line items that appeared in certain budgets. The Town Manager explained that this is money used for travel for conferences by the department heads. The Moderator read the figure of $50,376,485.00 as the gross operating budget. He then minus from that $1,000,000. the Sewer Betterment Revenue, under article 25, then $520,000. which is the Sewer Offset Receipts, and $1000.00 from article 24, the Conservation Reserve Fund. for a total raise and appropriate figure of $48,855,485. The Finance Committee supported the article. The Board of Selectmen were in favor of the article. The Moderator asked for a vote by way of a show of hands, motion carried. The budget is as follows:

Town Manager Bernard F. Lynch moved that the Town vote to raise and appropriate the sum of $48,855,485.00 to defray Town charges for the fiscal period July 1, 1994 to June 30, 1995.

MUNCIPAL ADMINISTRATION

1.	Personnel Services	$ 983,773.
2.	Expense	387,277.
3.	Out of State	4,500.
4.	Outlay	2,000.
5.	Legal Services	20,000.
		1,397,550.

EDUCATION

CHELMSFORD SCHOOL DEPARTMENT

6. Total Budget	26,069,040.

NASHOBA VALLEY TECH HIGH SCHOOL

7. Total Budget	590,222.

PUBLIC SAFETY

8. Personnel Services	5,187,180.
9. Expense	454,493.
10. Out of State	3,600.
11. Outlay	25,500.
TOTAL	5,670,773

PUBLIC WORKS

12. Personnel Services	1,051,867.
13. Expense	2,664,407.
14. Out of State	1,500.
15. Outlay	0.
16. Snow and Ice	350,000.
TOTAL	4,067,774.

SEWER COMMISSION

17. Expense	15,000.
18. Out of State	2,000.
TOTAL	17,000.

CEMETERY DEPARTMENT

19. Personnel Services	158,304.
20. Expense	12,325.
21. Out of State	500.
22. Outlay	4,000.
TOTAL	175,129.

COMMUNITY SERVICES

23. Personnel Services	323,408.
24. Expense	133,337.
TOTAL	456,745.

LIBRARY

25. Personnel Services	571,508.
26. Expense	204,879.
27. Out of State	1,000.
TOTAL	777,387.

UNDISTRIBUTED EXPENSES

28. TOTAL	5,347,957.

DEBT & INTEREST

29. Principal	3,833,142.
30. Interest	1,973,766.
TOTAL	5,806,908.

GROSS OPERATING BUDGET		50,376,485.
(art 25) Sewer Betterments	-	1,000,000.
Sewer Offset Rec	-	520,000.
(art 24) Conservation Rev	-	1,000.
TOTAL R & A		**48,855,485.**

UNDER ARTICLE 31 Selectman Robert Joyce moved that the Town vote to instruct the Board of Assessors to issue a certain amount of money from Free Cash in the Treasury for the reduction of the tax rate.

Town Manager Bernard Lynch explained that there was no free cash and moved for dismissal. The Finance Committee supported the motion to dismiss. The Board of Selectmen supported the motion. The Moderator asked for a show of hands, motion carried.

Selectman Robert Joyce asked for a show of hands of the Town Meeting Representatives who were in favor of returning to the Senior Center for future meetings. A favorable showing was the response.

John Emerson moved to adjourn the meeting sine die. Motion carried, unanimously. The meeting adjourned at 10:55 PM.

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

RECAP OF ARTICLES

ART #	DATE	BOARD/COMM	AMOUNT	R&A	TRANS	TRANS	TRANS	TRANS	BORROWING	BY-LAW/ACTS
*** = Special Town Mtg 4-28-94**					REDUCE TAX RATE	FREE CASH	AVAIL FUNDS	OFFSET REC		MISC.
Spring ATM 4-25-94										
2	4-25	Undis. Exp Emp ben	$300,000.00	$0.00	$0.00	$0.00	$300,000.00	$0.00	$0.00	pay employees health ins
3	4-25	Center School	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$6,093,399.00	addition to Ctr Sch
4	4-25	Building on Comm	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	dismissed
1	**4-28***	Accting Rep to Reps	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	Accountant makes reports
2	**4-28***	Sr Citz Voucher	$12,500.00	$12,500.00	$0.00	$0.00	$0.00	$0.00	$0.00	**Sr earn $$ for taxes**
3	**5-2***	Locker plans	$5,000.00	$0.00	$0.00	$0.00	$5,000.00	$0.00	$0.00	Study for new girls lockers
4	**4-28***	Sr Livg By-law	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	defeated Zoning By-law
5	**4-28***	Mill Rd Land Rezone	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	w/drawn
6	**4-28***	Taking of land	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	defeated Mill House in Ctr
7	**5-2***	Mlsx Cty Retir ??	$95,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	not sure where it goes
5	5-2	Chrter Chg Sewer	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
6	5-2	Conserv By-Law	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	question for Apr 1995
7	5-2	Conserv By-Law	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
8	5-2	land given to Consv	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
9	5-2	land given to Consv	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
10	5-2	land given to Consv	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
11	5-2	land given to Consv	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
12	5-2	land given to Consv	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
13	5-2	land to go out for bid	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
14	5-2	land given to Consv	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
15	5-2	land to go out for bid	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
16	5-2	Voting Proc for Reps	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	Comm formed by Reps
17	5-5	Vistor Dev Fund	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	defeated
18	5-5	Early Ret. Prog	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	Teachers Retirement
19	5-5	Street Accept	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
20	5-5	Chapter 90	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	**dismissed**
21	5-5	Cemetery ??	$12,500.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	Cemetery Impr Fund
22	5-5	Twn Mgr prev bills	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	**dismissed**
23	5-5	Recreation Park	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	**dismissed revolving ac**
24	5-5	Conservation	$1,000.00	$0.00	$1,000.00	$0.00	$0.00	$0.00	$0.00	Conserv. fees
25	5-5	Sewer	$1,000,000.00	$0.00	$1,000,000.00	$0.00	$0.00	$0.00	$0.00	sewer betterments
26	5-9	Budget	$48,855,485.00	$48,855,485.00	$0.00	$0.00	$0.00	$0.00	$0.00	
27	5-5	Sand Lease	$20,000.00	$20,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	fund Sand Lease
28	5-5	Audit	$19,000.00	$19,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	Audit books
29	5-5	Finance Comm	$20,000.00	$150,000.00	$0.00	$0.00	$0.00	$0.00	$0.00	Reserve Fund
30	5-5	Capital Projects ??	$867,000.00	$0.00	$0.00	$0.00	$25,000.00	$0.00	$842,000.00	Capitol Planing Projects
31	5-9	Free Cash	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	**dismissed**
		TOTAL	$51,207,485.00	$49,056,985.00	$1,001,000.00	$0.00	$330,000.00	$0.00	$6,935,399.00	$0.00

This is to certify that the above information is correct. Dated_____

$57,323,384.00

_____

Finance Dir/Treas.

_____

Town Accountant

TOWN WARRANT FOR STATE PRIMARY ELECTION

SEPTEMBER 20, 1994

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the Constable of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth you are hereby required to notify and warn the Inhabitants of said Town who are qualified to vote in Primaries to vote at

Precinct 1: Town Office Gymnasium, 50 Billerica Road
Precinct 2: Harrington School Gymnasium, 120 Richardson Road
Precinct 3: Harrington School Gymnasium, 120 Richardson Road
Precinct 4: Westlands School Cafeteria, 170 Dalton Road
Precinct 5: Byam School Cafeteria, 25 Maple Road
Precinct 6: Westlands School Cafeteria, 170 Dalton Road
Precinct 7: McCarthy Middle School, Small Gymnasium, 250 North Road
Precinct 8: McCarthy Middle School, Small Gymnasium, 250 North Road
Precinct 9: Town Offices Building Gymnasium, 50 Billerica Road

On Tuesday, the twentieth day of September, 1994 from 7:00 A.M. to 8:00 P.M. for the following purpose.

To case their votes in the State Primary for the candidates of political parties for the following offices:

U.S. SENATOR	FOR THE COMMONWEALTH	
GOVERNOR	" "	"
LT. GOVERNOR	" "	"
ATTORNEY GENERAL	" "	"
SECRETARY	" "	"
TREASURER	" "	"
AUDITOR	" "	"
REPRESENTATIVE IN CONGRESS.	.Fifth	Congressional District
COUNCILLOR.	.Third	Councillor District
SENATOR IN GENERAL COURT.	.Fifth Middlesex	Senatorial District
REPRESENTATIVE IN GENERAL COURT. .	.16th Middlesex	Representative District
DISTRICT ATTORNEY.	.Northern	District
CLERK OF COURTS.	Middlesex	County
REGISTER OF DEEDS.	.Middlesex Northern	District
COUNTY COMMISSIONER.	Middlesex	County

Given under our hands this 22nd day of August 1994.

Roger A. Blomgren — William F. Dalton — Peter V. Lawlor

Robert P. Joyce — Jeffrey A. Brem

Selectmen of: Town of Chelmsford

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. Sept 1, ~~August~~ , 1994

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafetorium, Byam School Cafetorium, Westland School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence
Constable

A True Copy Attest, William E. Spence
William E. Spence, Constable

DEMOCRATIC STATE PRIMARY

September 20, 1994 *note recount of Reg of Deeds Race Oct 3,1994

OFFICES and CANDIDATES		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
SENATOR IN CONGRESS											
Blanks		95	55	87	87	97	119	105	93	84	822
Edward M. Kennedy		199	144	225	192	197	301	190	201	156	1805
Write-In		5	3	6	4	5	3	7	3	6	42
Misc		1	5	5	4	4	3	3	3	2	30
	TOTAL	300	207	323	287	303	426	305	300	248	2699
GOVERNOR											
Blanks		68	36	61	50	61	98	80	73	51	578
George A. Bachrach		56	43	67	60	77	93	51	55	64	566
Michael J. Barrett		64	54	71	54	56	84	63	64	44	554
Mark Roosevelt		109	74	116	123	106	145	106	104	88	971
Write-In		3	0	4	0	3	5	4	2	0	21
Misc		0	0	4	0	0	1	1	2	1	9
	TOTAL	300	207	323	287	303	426	305	300	248	2699
LIEUTENANT GOVERNOR											
Blanks		111	66	122	85	117	168	130	114	85	998
Marc D. Draisen		91	47	95	91	79	95	83	80	67	728
Robert K. Massie		98	94	101	110	107	161	90	104	96	961
Write-In		0	0	0	0	0	1	0	0	0	1
Misc		0	0	5	1	0	1	2	2	0	11
	TOTAL	300	207	323	287	303	426	305	300	248	2699
ATTORNEY GENERAL											
Blanks		72	55	85	72	82	118	91	71	76	722
L. Scott Harshbarger		226	151	235	212	219	307	214	226	169	1959
D.Duck		1	0	0	0	0	0	0	1	1	3
Misc		1	1	3	3	2	1	0	2	2	15
	TOTAL	300	207	323	287	303	426	305	300	248	2699
SECRETARY OF STATE											
Blanks		79	45	87	55	83	114	88	76	74	701
William Francis Galvin		116	92	130	124	118	169	108	115	82	1054
Augusto F. Grace		104	70	106	108	102	143	108	107	92	940
Write-In		0	0	0	0	0	0	0	0	0	0
Misc		1	0	0	0	0	0	1	2	0	4
	TOTAL	300	207	323	287	303	426	305	300	248	2699
TREASURER											
Blanks		117	74	135	96	133	178	148	126	114	1121
Shannon P. O'Brien		180	132	185	190	170	245	155	172	133	1562
Write-In		1	0	0	0	0	1	1	0	0	3
Misc		2	1	3	1	0	2	1	2	1	13
	TOTAL	300	207	323	287	303	426	305	300	248	2699
AUDITOR											
Blanks		107	77	116	90	120	146	128	112	104	1000
A. Joseph DeNucci		191	130	207	196	182	280	176	186	142	1690
Write-In		1	0	0	0	0	0	0	0	0	1
Misc		1	0	0	1	1	0	1	2	2	8

REP IN CONGRESS 5TH DIST	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
Blanks	28	13	20	23	23	42	20	14	19	202
Martin T. Meehan	221	150	233	192	212	302	226	223	177	1936
Thomas J. Quinn	51	44	70	71	68	82	59	63	51	559
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	1	0			0	1	2
TOTAL	300	207	323	287	303	426	305	300	248	2699

COUNCILLOR 3RD DIST										
Blanks	83	44	92	45	93	105	93	68	74	697
Cynthia S. Creem	53	23	41	56	54	64	48	56	52	447
Joseph M. Downes Jr	136	126	165	150	119	214	138	145	104	1297
Robert A. Kahn	11	4	5	4	13	13	6	8	4	68
Jackie Morrissey	15	10	19	32	24	30	18	21	14	183
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	2	0	1	0	0	0	2	2	0	7
TOTAL	300	207	323	287	303	426	305	300	248	2699

SENATOR IN GENERAL COURT 16TH MDLSX										
Blanks	260	191	294	254	272	383	289	268	224	2435
Write-In	6	2	0	3	3	1	3	2	5	25
Misc	34	14	29	30	28	42	13	30	19	239
TOTAL	300	207	323	287	303	426	305	300	248	2699

REP IN GENERAL COURT 16TH MDLSX										
Blanks	276	198	304	266	279	401	296	279	229	2528
Write-In	3	2	1	3	2	2	2	0	5	20
Misc	21	7	18	18	22	23	7	21	14	151
TOTAL	300	207	323	287	303	426	305	300	248	2699

DISTRICT ATTORNEY NORTHERN DIST										
Blanks	114	74	117	79	136	159	127	102	110	1018
Thomas F. Reilly	185	133	203	207	167	265	177	196	136	1669
Write-In	1	0	0	0	0	0	0	0	1	2
Misc	0	0	3	1	0	2	1	2	1	10
TOTAL	300	207	323	287	303	426	305	300	248	2699

CLERK OF COURTS MDLSX CTY										
Blanks	73	39	78	40	87	109	80	73	71	650
Edward J. Sullivan	107	85	116	121	98	155	120	117	84	1003
James P. Kennedy	118	83	126	125	118	162	103	108	92	1035
Write-In	1	0	0	0	0	0	0	0	0	1
Misc	1	0	3	1	0	0	2	2	1	10
TOTAL	300	207	323	287	303	426	305	300	248	2699

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
REGISTER OF DEEDS MDLSX CTY NORTHERN DIST (Recount of this race Oct 3, 1994 total will be off by 1 vote in Pct 6)										
Blanks	12	8	15	2	20	11	8	7	12	95
Walter J. Flynn	8	9	13	16	4	8	4	8	8	78
Richard P. Howe Jr	36	32	40	22	19	50	31	36	14	280
Patricia A. Kirwin Keilty	12	23	20	20	24	33	16	23	18	189
Edward J. Kennedy	11	10	7	6	10	18	6	7	9	84
Dennis E. McHugh	164	81	159	137	159	211	193	141	133	1378
Dennis Scannell	12	11	4	15	2	13	9	9	4	79
David A. Shaughnessy	2	1	4	5	8	3	1	3	2	29
Frederick L. Simon	17	20	24	37	16	29	17	35	20	215
Karin Theodoros	26	12	37	27	41	51	20	31	28	273
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	300	207	323	287	303	427	305	300	248	2700
COUNTY COMMISSIONER MDLSX CTY										
Blanks	69	34	75	46	89	103	83	66	58	623
Francis X. Flaherty	36	33	49	42	36	49	35	42	38	360
Gerald J.Flynn Jr	176	126	185	172	163	262	172	177	137	1570
Douglas E. MacDonald	7	4	4	14	5	3	3	6	4	50
John M. MacGillivray	11	10	8	13	10	9	11	7	11	90
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	1	0	2	0	0	0	1	2	0	6
TOTAL	300	207	323	287	303	426	305	300	248	2699

REPUBLICAN STATE PRIMARY
September 20, 1994

OFFICES and CANDIDATES	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
SENATOR IN CONGRESS										
Blanks	8	4	3	3	4	3	3	3	4	35
John R. Lakian	22	18	28	18	18	34	37	17	40	232
W. Mitt Romney	185	90	110	152	163	195	201	177	192	1465
Write-In	1	0	0	0	0	0	0	0	0	1
Misc	0	0	0	0	1	0	0	0	0	1
TOTAL	216	112	141	173	186	232	241	197	236	1734
GOVERNOR										
Blanks	14	15	17	17	13	21	13	16	25	151
William F. Weld	198	96	124	156	170	209	228	180	211	1572
Write-In	2	1	0	0	2	1	0	1	0	7
Misc	2	0	0	0	1	1	0	0	0	4
TOTAL	216	112	141	173	186	232	241	197	236	1734
LIEUTENANT GOVERNOR										
Blanks	24	20	23	25	26	31	24	18	30	221
Argeo Paul Cellucci	191	91	118	148	159	200	217	179	206	1509
Write-In	0	1	0	0	0	0	0	0	0	1
Misc	1	0	0	0	1	1	0		0	3
TOTAL	216	112	141	173	186	232	241	197	236	1734
ATTORNEY GENERAL										
Blanks	34	23	32	26	36	46	35	22	46	300
Janis M. Berry	145	66	80	117	118	149	148	130	142	1095
Guy A. Carbone	37	23	28	30	32	36	58	45	48	337
Write-In	0	0	1	0	0	0	0	0	0	1
Misc	0	0	0		0	1	0		0	1
TOTAL	216	112	141	173	186	232	241	197	236	1734
SECRETARY OF STATE										
Blanks	55	28	28	34	47	51	43	29	61	376
Arthur E. Chase	81	50	72	71	83	99	103	87	109	755
Peter V. Forman	80	34	41	68	56	81	95	81	66	602
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	1	0		0	1
TOTAL	216	112	141	173	186	232	241	197	236	1734
TREASURER										
Blanks	34	21	18	30	33	35	36	27	36	270
Joseph Daniel Malone	182	91	123	143	152	197	205	169	199	1461
Write-In	0	0	0	0	0	0	0	1	1	2
Misc	0	0	0	0	1	0	0	0	0	1
TOTAL	216	112	141	173	186	232	241	197	236	1734

AUDITOR	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
Blanks	62	32	43	47	52	66	63	48	66	479
Forrester A. "Tim" Clark Jr	97	53	58	87	84	88	102	90	102	761
Earle B. Stroll	56	27	40	39	50	77	76	59	68	492
Write-In	0	0	0	0	0	1	0	0	0	1
Misc	1	0	0	0	0	0	0	0	0	1
TOTAL	216	112	141	173	186	232	241	197	236	1734
REP IN CONGRESS 5TH DIST										
Blanks	79	42	54	55	65	65	68	54	79	561
David E. Coleman	137	70	86	116	120	167	172	141	157	1166
Write-In	0	0	1	2	0	0	1	2	0	6
Misc	0	0	0	0	1	0	0	0	0	1
TOTAL	216	112	141	173	186	232	241	197	236	1734
COUNCILLOR 3RD DIST										
Blanks	94	49	58	67	76	79	79	71	95	668
William M. Monnie	122	63	83	106	109	153	162	125	140	1063
Write-In	0	0	0	0	0	0	0	1	1	2
Misc	0	0	0	0	1	0	0	0	0	1
TOTAL	216	112	141	173	186	232	241	197	236	1734
SENATOR IN GENERAL COURT 16TH MDLSX										
Blanks	52	33	36	49	43	51	45	48	53	415
Lucile "Cile" P. Hicks	164	77	105	120	135	181	195	148	183	1308
Write-In	0	2	0	0	1	0	0	1	0	4
Misc	0	0	0	4	2	0	1	0	0	7
TOTAL	216	112	141	173	186	232	241	197	236	1734
REP IN GENERAL COURT 16TH MDLSX										
Blanks	52	32	34	60	55	60	50	47	53	443
Carol C. Cleven	163	77	106	110	127	169	186	145	178	1261
Write-In	1	3	0	1	3	2	2	5	5	22
Misc	0	0	1	2	1	1	3	0	0	8
TOTAL	216	112	141	173	186	232	241	197	236	1734
DISTRICT ATTORNEY NORTHERN DIST										
Blanks	196	108	138	167	176	217	228	184	219	1633
Write-In	3	0	1	0	1	1	2	13	5	26
Misc	17	4	2	6	9	14	11	0	12	75
TOTAL	216	112	141	173	186	232	241	197	236	1734
CLERK OF COURTS MDLSX CTY										
Blanks	202	107	137	170	179	221	234	186	227	1663
Write-In	2	0	2	0	2	4	0	11	4	25
Misc	12	5	2	3	5	7	7	0	5	46
TOTAL	216	112	141	173	186	232	241	197	236	1734

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
REGISTER OF DEEDS MDLSX CTY NORTHERN DIST										
Blanks	82	49	60	72	85	93	82	80	108	711
John L. Noonan	124	58	73	96	90	132	150	110	120	953
Write-In	0	3	5	3	5	0	0	0	0	16
K. Theodoros	3	1	2	0	2	2	0	0	5	15
D. Scannel	2	0	0	0	0	0	1	0	0	3
D. McHugh	2	1	0	0	0	5	6	6	2	22
R. Howe	2	0	1	0	1	0	2	0	0	6
F. Simon	1	0	0	2	1	0	0	1	0	5
Misc	0	0	0	0	2	0	0	0	1	3
TOTAL	216	112	141	173	186	232	241	197	236	1734
COUNTY COMMISSIONER MDLSX CTY										
Blanks	204	107	139	165	179	216	230	180	216	1636
Write-In	3	1	2	1	2	3	0	17	11	40
Write-In	0	4	0	0	0	0	0	0	0	4
Misc	9	0	0	7	5	13	11	0	9	54
TOTAL	216	112	141	173	186	232	241	197	236	1734

WARRANT FOR
THE FALL ANNUAL TOWN MEETING
OCTOBER 17, 1994
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the constable, or any other suitable person of the Town of Chelmsford:

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the town meeting representatives of said Chelmsford to meet in the Senior Center, Groton Road, North Chelmsford, on Monday, the seventeenth day of October, at 7:30 p.m. o'clock in the evening, then and there to act upon the following articles, VIZ:

Article 1.

To hear reports of the Town Officers and Committees; or act in relation thereto.

Board of Selectmen

Article 2.

To see if the Town will vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easement in Chelmsford, Massachusetts, Freeman Lake Area Lateral Sewers October 1994, prepared for the Chelmsford Sewer Commission by Richard F. Kaminski & Associates, Inc.", a copy of which is on file in the office of the Town Engineer and is incorporated herein by reference, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto; and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, transfer and appropriate from revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Sewer Commission

Article 3.

To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any

held by the Town, in a certain parcel of land on Fourth Avenue, shown as Lots 11 and 12 on Assessor's Map 67, containing 9,720 square feet and 4,860 square feet more or less respectively and more fully described in the Final Judgment of the Land Court dated August 24, 1992 and recorded in the Middlesex North District Registry of Deeds in Book 6218, Page 64 and deed recorded in Book 2153, Page 301; or act in relation thereto.

Board of Selectmen

Article 4.

To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land off Twelfth Street, shown as Lots 13 and 16 on Assessor's Map 62, containing 6,400 square feet and 4,020 square feet more or less respectively and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2153, Page 300 and Book 2153, Page 301; or act in relation thereto.

Board of Selectmen

Article 5.

To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land off Groton Road, shown as Lots 35 and 36 on Assessor's Map 195, containing 17,800 square feet and 2.11 acres more or less respectively and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2153, Page 302; or act in relation thereto.

Board of Selectmen

Article 6.

To see if the Town will vote to amend the General Bylaws Article VI Police Regulations by adding the following:

Section 24 Safety Reflectors

No person shall walk, run, jog or ride a bicycle without having reflectors on their shoes, sneakers, outer wear, when on public ways, streets and sidewalks in the Town from dusk to dawn.

; or act in relation thereto.

Petition

Article 7.

To see if the Town will vote to amend the General Bylaws ARTICLE V Streets and Sidewalks by adding the following Section 22 Corner Clearance:

Section 22 Corner Clearance

1. No person owning, possessing or having under his control any real estate abutting any intersection of streets, shall erect, place, plant or permit or suffer the erection, placing or planting or maintenance of anything in such a manner that it shall impact safety by materially impeding the vision of operators of motor vehicles between a height of two and one half (2 1/2) and ten (10) feet above the grades of the intersecting streets in the area bounded by the street lines of said real estate and a line joining points thirty (30) feet along said street lines from the point of intersection of said street lines.

2. Any person who violates this provision and after being notified of violation by the Board of Selectmen in writing, permits said violation to continue for 30 days after receipt of notice, may be punished by a fine of not more than fifty dollars ($50.00). For the purposes of this section, each successive day during which any violation is committed or continued shall be deemed a separate offense.

; or act in relation thereto.

Board of Selectmen

Article 8.

To see if the Town will vote to accept the provisions of Section 22E of Chapter 166 relative to the removal and replacement of facilities by Municipality under Cooperation Agreement with utility to facilitate the depression of overhead utilities in the Center area and further described and shown on a set of plans on file in the office of the Town Engineer and is incorporated herein by reference; or act in relation thereto.

Board of Selectmen

Article 9.

To see if the Town will vote to amend the General Bylaws V Streets and Sidewalks Section 29 Pond Street Closing by deleting Section 29 which reads as follows in its entirety:

Section 29 Pond Street Closing

1. Pond Street in South Chelmsford shall be closed to vehicular traffic from Parkerville Road to a point twenty-five (25) feet northerly from the boundary line dividing the property of one Blaisdell and the South Chelmsford Village Improvement Association property, from June 15 to September 15, yearly.

2. Signs warning all persons of the provisions of this By-Law shall be erected at the intersection of Pond Street and Parkerville Road and a point twenty-five (25) feet northerly from the boundary line dividing the property of one Blaisdell and the South Chelmsford Improvement Association property.

3. Any violation of the By-Law shall be punished by a fine or not more than Twenty Dollars ($20) for each offense.

And substitute the following Section 29 Pond Street Closing

1. Pond Street shall be closed to vehicular traffic from Parkerville Road to a point twenty-five (25) feet northerly from the boundary line dividing the property of one Blaisdell and the South Chelmsford Village Improvement Association property.

2. Signs warning all persons of the provisions of this By-Law shall be erected and Town maintained at the intersection of Pond Street and Parkerville Road and a point twenty-five (25) feet northerly from the boundary line dividing the property of one Blaisdell and the South Chelmsford Improvement Association property.

3. Any violation of this By-Law shall be punished by a fine of not more than Twenty Dollars ($20) for each offense.

; or act in relation thereto

Board of Selectmen

Article 10.

To see if the Town will vote to amend the Zoning By-Law under III. GENERAL REGULATIONS Section 3314 (a) Prohibitions as follows:

Delete the existing Section 3314 (a)

(a) No moving, animated, revolving, moving light, or flashing sign or sign elements shall be permitted. No pennants, streamers, advertising flags, spinners, or similar devices shall be permitted.

And substitute the following Section 3314 (a)

(a) No moving, animated, revolving, moving light, or flashing sign or sign elements shall be permitted, except for traditional illuminated barbershop poles with revolving pillars. No pennants, streamers, advertising flags, spinners, or similar devices shall be permitted.

; or act in relation thereto.

Petition

Article 11.

To see if the Town will vote to amend the existing Town of Chelmsford Zoning By-Law, Section 2300 Use - Regulations Schedule - Business Uses - Motor Vehicle Rentals - by authorizing such business use in a General Commercial District (CD) under a Special Permit for exception from the Planning Board as provided for in Section 1500; or act in relation thereto.

Petition

Article 12.

To see if the town will vote to amend the existing Town of Chelmsford Zoning Map by removing the following described properties on the Southerly side of Mill Road (also known as Russell Mill Road) from Public District (P) and placing said properties in a Residential B District (RB):

PARCEL I

The property described in a deed to Merrimack Education Center, Inc., dated January 3, 1978 and recorded with the Middlesex North District Registry of Deeds in Book 2284, Page 545. Said property contains 1.73 acres more or less. This property is also identified as 101 Mill Road and shown as Map 142, Lot 66 on the records of the Town of Chelmsford Board of Assessors.

PARCEL II

The easterly portion of the property described in a deed to Lloyd C. Greene, Jr., dated May 19, 1954 and recorded with the Middlesex North District Registry of Deeds in Book 1255, Page

573. This property is also identified as a portion of 99 Mill Road and shown as the easterly portion of Map 141, Lot 1 on the records of the Town of Chelmsford Board of Assessors.

; or act in relation thereto.

Planning Board

Article 13.

To see if the Town will establish a Special Revenue Fund to set aside Special Education Reimbursements from the Medicaid system; or act in relation thereto.

Town Manager

Article 14.

To see if the Town will vote to transfer a certain sum of money from Medicaid Special Education Reimbursements, Special Revenue, to amend the Fiscal Year 1995 Budget contained within the 1994 Annual Town Meeting 26, Line Item 6, Chelmsford School Department; or act in relation thereto.

Town Manager

Article 15.

To see if the Town will vote to amend the Fiscal Year 1995 Budget contained within Article 26 of the 1994 Annual Town Meeting by increasing, Line Item 6, Chelmsford School Department by $112,000; or act in relation thereto.

Town Manager

Article 16.

To see if the Town will vote to amend the fiscal Year 1995 Budget contained within Article 26 of the 1994 Annual Town Meeting by decreasing Line Item 28, Undistributed Expenses by $200,000; or act in relation thereto.

Town Manager

Article 17.

To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money with which to meet bills from previous years; or act in relation thereto.

Town Manager

Article 18.

To see if the Town will vote to raise and appropriate or transfer and appropriate a certain sum of money to the Stabilization Fund; or act in relation thereto.

Town Manager

Article 19.

To see if the Town will vote to instruct the Board of Assessors to issue a certain amount of money from Free Cash in the Treasury for the reduction of the tax rate; or act in relation thereto.

Town Manager

Article 20.

To see if the Town will vote to instruct the Board of Assessors to issue a certain amount of money from Free Cash in the Treasury to balance the FY 95 budget; or act in relation thereto.

Town Manager

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 29th day of September A.D., 1994

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

Roger A. Blomgren, Chairman

Robert P. Joyce, Vice Chairman

William F. Dalton, Clerk

Jeffrey A. Brem

Peter V. Lawlor

NOTICE OF PROPOSED DATES AND TIMES FOR CONTINUED SESSIONS OF THE FALL ANNUAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Fall Annual Town Meeting of October 17, 1994:

Thursday, October 20, 1994 at 7:30 p.m.

Monday, October 24, 1994 at 7:30 p.m.

Thursday, October 27, 1994 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meeting is concluded.

Pursuant to General By-Laws II, Section 4.10 Notice these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. ~~September~~ Oct 5, 1994

Pursuant to the within notice, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafeteria, Byam School Cafetorium, Westland School Cafeteria, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence
Constable

A True Copy Attest,
William E. Spence, Constable

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. ~~September~~ Oct 5, 1994

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Signed:

William E. Spence
Constable

A True Copy Attest,
William E. Spence, Constable

WARRANT FOR
THE SPECIAL TOWN MEETING
OCTOBER 24, 1994
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the constable, or any other suitable person of the Town of Chelmsford:

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the town meeting representatives of said Chelmsford to meet in the Senior Center, Groton Road, North Chelmsford, on Monday, the twenty-fourth day of October, at 7:30 p.m. o'clock in the evening, then and there to act upon the following articles, VIZ:

Article 1.

To see if the Town will vote to amend the Chelmsford Home Rule Charter under Part III Elected Town Officers Section 3-1 (a) Elective Offices to include Assessor, Town Clerk, Treasurer Collector, Board of Appeals and Conservation Commission; or act in relation thereto.

Board of Selectmen

Article 2.

To see if the Town will vote to amend the Chelmsford Home Rule Charter under Part III, Section 3-2 (c), Board of Selectmen Appointment Powers, by deleting the following:

"(c) Appointing Powers

The Board of Selectmen shall appoint a Town Manager, a Town Counsel, a Town Accountant, and a Board of Registrars of Voters (but not including the Town Clerk). The Board of Selectmen shall also appoint such other multiple member bodies as may be provided by by-law."

and add the following as Part III, Section 3-2 (c):

"(c) the Board of Selectmen shall appoint a Town Manager, a Town Counsel, a Town Accountant, and a Board of Registrars of Voters (but not including the

Town Clerk). The Board of Selectmen shall also appoint such policy advisory committees as they deem necessary, and such other multiple member bodies as may be provided by by-law."

; or act in relation thereto.

Board of Selectmen

Article 3.

To see if the Town will vote to amend the Chelmsford Home Rule Charter under Part III, Elected Town Officers Section 3-4, Town Moderator (b) Powers and Duties by deleting the third sentence of subsection (b) which reads as follows:

The moderator shall appoint a finance committee as provided by bylaw.

and further amend the Chelmsford Home Rule Charter under Part II Legislative Branch/Representative Town Meeting Section 2-12 Procedures (d) Establishment of Committees by adding the following paragraph:

"The Town Meeting Members shall appoint a Finance Committee as provided by by-law."

The action of Town Meeting under this Article shall be contingent upon an affirmative vote on a motion under Article 4 of this Warrant establishing a by-law for appointment of a Finance Committee. Failure of an affirmative vote on the motion under Article 4 shall render this vote a nullity.

; or act in relation thereto.

Board of Selectmen

Article 4.

To see if the Town will vote to amend the General By-Laws Article III Town Officers SECTION 1 FINANCE COMMITTEE, by deleting Section 1 in its entirety which reads as follows:

SECTION 1 FINANCE COMMITTEE - The Town Moderator shall appoint a Finance Committee which shall be composed of seven (7) members; each of whom shall serve for a term of not more than three (3) years from the date of appointment.

and insert the following SECTION 1 FINANCE COMMITTEE:

SECTION 1 Finance Committee - The Town Meeting Members shall appoint a Finance Committee composed of one member for each precinct in the Town with each precinct voting and appointing one member to said committee. The Town Meeting Members shall vote by precinct at the Annual Spring Town meeting and the person receiving a majority vote of the Town Meeting Members present and voting within each precinct shall be appointed for a three year term commencing August 1st of the year of appointment. The Precinct Meeting shall require a quorum of fifty percent of the Town Meeting Members in each precinct to vote on the appointment. The Finance Committee member shall not be required to be a Town Meeting Member but shall reside within the precinct voting on the appointment.

The validity of this amendment shall be contingent upon a valid amendment to the Chelmsford Home Rule Charter under Article 4 of this Warrant.

; or act in relation thereto.

Board of Selectmen

Article 5.

To see if the Town will vote to amend the General By-Laws Article II Town Meeting Section 4 Procedures Subsection 4.17 by deleting said subsection which reads as follows:

> 4.17 ROLL CALL BALLOT - A main motion on any article shall be voted upon by roll call ballot if forty (40) town meeting representatives so vote as the end of debate of that main motion and before a motion under the next article.

and substituting in its place the following.

> 4.17 ROLL CALL BALLOT - A main motion on any article shall be voted upon by roll call ballot if eighteen (18) town meeting representatives so vote as the end of debate of that main motion and before a motion under the next article.

or act in relation thereto.

Board of Selectmen

Article 6.

To see if the Town will vote to appoint a committee to consist of one Town Meeting Representative from each precinct to be elected by the Representatives of that precinct for the purpose of conducting a study and preparing a report of recommendation to the Town Meeting to review the current parliamentary procedures. These recommendations may take the form of proposed amendments to the General Bylaws or Charter as deemed appropriate. The report to be presented at the 1995 Annual Spring Town Meeting; or act in relation thereto.

Board of Selectmen

Article 7.

To see if the Town will vote to amend the General By-Laws Article IV Financial Regulation Section 4 Capital Planning Committee by deleting the first sentence that reads as follows:

> A committee to be known as the Capital Planning shall be established and shall be composed of the following committee members; The Town Accountant (non-voting member), the Town Treasurer, one (1) member designated by the School Committee, one (1) member designated by the Finance Committee, one (1) member designated by the Board of Library Trustees, and two (2) citizens of the Town of Chelmsford to be appointed by the Board of Selectmen who are neither a municipal employee of the Town or an elected or appointed Town official except that they may be Town Meeting Members.

and substitute the following in its place:

> A committee to be known as the Capital Planning shall be established and shall be composed of the following committee members; The Town Accountant (non-voting member), the Town Treasurer, one (1) member of the Board of Selectmen, one (1) member designated by the School Committee, one (1) member designated by the Finance Committee, one (1) member designated by the Board of Library Trustees, and two (2) citizens of the Town of Chelmsford to be appointed by the Board of Selectmen who are neither a municipal employee of the Town or an elected or appointed Town official except that they may be Town Meeting Members.

or act in relation thereto;

Board of Selectmen

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS. October 5 1994

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit:
Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westland School Cafeteria, Byam School Cafetorium, Westland School Cafeteria, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, and Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence
Constable

A True Copy Attest, William E. Spence
William E. Spence, Constable

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 3rd day of October A.D., 1994

BOARD OF SELECTMEN OF TOWN OF CHELMSFORD

Roger A. Blomgren, Chairman

Robert P. Joyce, Vice Chairman

William F. Dalton, Clerk

Jeffrey A. Brem

Peter V. Lawlor

ANNUAL TOWN MEETING
OCTOBER 17, 1994

The Annual Town Meeting was called to order at the Senior Center at 7:40 PM by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 148 Town Meeting Representatives present.

The Moderator went over and explained the Town Meeting procedures, and pointed out the emergency exits located within the hall.

The Moderator asked for a moment of silence for two people who have recently passed away who were active in the Town. Patrick Murtagh, Head Custodian at the Town Office Building, and Matthew Whiting who had participated in various Town and State elections.

UNDER ARTICLE 1 Selectman Roger Blomgren moved that the Town vote to hear reports of the Town Officers and Committees.

The Town Moderator explained that at the Spring meeting a committee was formed under article 16 called the Voting Procedural Committee and it was to meet and give a report at this meeting. Due to communication and scheduling problems between the Moderator and the Committee, no meetings have taken place as of yet. He apologized for this and requested that all the members meet at the end of tonight's meeting and decided on when the Committee will meet in order to begin discussions.

Roger Blomgren, Chairman of the Board of Selectman, asked that the Town Meeting Body listen to the following speakers concerning the closing of Hanscom Air Force Base. The base is located in the neighboring town of Bedford and the impact of the closing is going to greatly effect Chelmsford economically.

Mark Provost, Director of Team Hanscom came forward and provided information. He explained that the base does not deal with airplanes anymore, it is responsible for major technology in the fields of medicine and science. He explained that there are 551 employees from Bedford that live in Chelmsford. They pay real estate taxes and support the local businesses with their salaries. He urged that people contact the Federal Senator and Congressman of this district and make them aware of the financial impact this will have on the voters in this district. Richard Galloway of Team Hanscom, asked if there were any questions at this time, hearing none he thanked the body for their time.

Upon hearing no further reports the Moderator moved on.

Selectman Roger Blomgren moved the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. by a show of hands. Selectman Blomgren moved that the reading of the warrant be waived. It was so voted unanimously, by a show of hands.

UNDER ARTICLE 2 John Emerson, Chairman of the Sewer Commission, moved that the Town vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easement in Chelmsford, Massachusetts, Freeman Lake Area Lateral Sewers October 1994, prepared for the Chelmsford Sewer Commission by Richard F. Kaminski & Associates, Inc." a copy of which is on file in the Office of the Town Engineer and is incorporated herein by reference, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto.

John Emerson, Chairman of the Sewer Commission explained that this was a standard article. It was slated to be done six years ago with a agreement by the Town of Westford who has chosen not to continue negotiations. This project will begin in the Spring. It will include the Scotty Hollow Condominiums, due to the number of units in the complex the fees collected for the project will enable a bigger area then originally intended to be sewered. The Finance Committee and the Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 3 Selectman Roger Blomgren moved that the Town vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land on Fourth Avenue, shown as Lots 11 and 12 on Assessor's Map 67, containing 9,720 square feet and 4,860 square feet more or less respectively and more fully described in the Final Judgement of the Land Court dated August 24, 1992 and recorded in the Middlesex North District Registry of Deeds in Book 6218, Page 64 and deed recorded in Book 2153, Page 301.

Bernard Lynch, Town Manager explained that these lots have an assessed value of $3,300.00, and $3,700.00. The direct abutter's were interested. According to the Building Inspector and Conservation Commission they were not buildable lots. Tom Christiano asked what was then the interest. The Town Manager explained that the abutter would like to be able to increase the size of his lot. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 4 Selectman Roger Blomgren moved that the Town vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the town in a certain parcel of land off Twelfth Street, shown as Lots 13 and 16 on Assessor's Map 62, containing 6,400 square feet and 4,020 square feet more or less respectively and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in book 2153, Page 300 and Book 2153, Page 301.

Bernard Lynch, Town Manager explained that abutters who own all the property surrounding the lot expressed an interest in the lot. They are assessed at $3,500.00 and $3,100.00, which is what he would recommend as the minimum bid to be. Just like the preceding article these are non buildable lots. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 5 Selectman Roger Blomgren moved that the town vote to authorize the Board of Selectmen to convey in accordance with M.G.L. Chapter 30B, for consideration to be determined, all right, title and interest, if any held by the Town, in a certain parcel of land off Groton Road, shown as Lots 35 and 36 on Assessor's Map 195, containing 17,800 square feet and 2.11 acres more or less respectively and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 2153, Page 302.

The Town Manager explained that the lots are land locked and have an assessed value of $1,900.00 and $1,800.00. The Finance Committee and the Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 6 Martin A. Gruber moved that the Town vote to amend the General Bylaws Article VI Police Regulations by adding the following:

Section 24 Safety Reflectors

No person shall walk, run, jog or ride a bicycle without having reflectors on their shoes, sneakers or outer wear, when on public ways, streets and sidewalks in the Town from dusk to dawn.

Martin Gruber spoke about the article. His intent was not to take any rights away from anyone, or create revenues from fines. He just wanted to establish public awareness and common sense regarding safety. A number of questions and concerns were expressed. Scott Ubele of the Police Department's Traffic and Safety Division, explained that the concept was a good idea, however the enforcement was not possible. There is a need to make the public aware of the issue and should be address. The Finance Committee does not recommend the article due to it not being enforceable. The majority of the Board of Selectmen recommended the article. John Emerson moved to dismiss the article and the Police Department make recommendations to the proponent as to future action on this proposal. The Finance Committee recommended the motion to dismiss. A majority of the Board of Selectmen were in favor of the motion. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 7 Town Manager Bernard Lynch, explained that there are major intersections in the Town that have shrubs, plantings, fences, etc planted to close to the roadways. This results in poor visibility. This by-law would address this issue. Other surrounding town's have similar

by-laws. The Traffic and Safety Committee recommended the by-law. Dean Carmeris questioned if there is a grandfather clause, who would decide that the object should be removed and would there be an appeal process. Jim Pearson, Director of the DPW and member of the Traffic and Safety Committee, explained that the Board of Selectmen and the Traffic and Safety Committee would view the site and decide if the area in question was a potential hazard and make recommendations. Dean Carmeris felt that individual cases shouldn't be determined unless a grandfather clause be included in the law. A discussion took place. Concerns were raised about driveways and fences on property which abut public ways. It was explained that this issue only pertained to intersection. Michael Sokol asked how this could be enforced if there was no grandfather clause. Town Counsel James Harrington stated that the by-law would be enforceable. Matthew Doyle expressed that the article should be re-written and include more details. He moved to dismiss the article. Selectman Peter Lawlor the Selectmen's Representative to the Traffic and Safety Committee asked that the article not be dismissed. He cited that the Board is responsible for the safety of the Town and it should be voted. The Moderator asked for the Finance Committee's recommendation on dismissing the article. The Finance Committee was against dismissing the article. The Board of Selectmen were against dismissing the article. The Moderator asked for a show of hands on the motion to dismiss. This left the Chair in doubt. The following tellers came forward and a hand count was taken:

Patricia Plank, Dorothy Frawley, Jean Horgan, Lucy Simonian. The results of the motion to dismiss: Yes 52 No 79. Motion defeated, the discussion continued. Susan Gates proposed that the following wording be added to the end of paragraph one:

Buildings existing as of October 17, 1994 are exempt from this by-law.

The Finance Committee does not support the motion to amend. The Board of Selectmen support the motion to amend. More discussion took place. The Moderator asked for a show of hands on the motion to amend. Motion carried. Dean Carmaris spoke against the main motion as amended. He felt that even with this amendment there is still no actual grandfather clause and no process for appeal. The Moderator asked for a show of hands on the main motion as amended. This left the Chair in doubt. The tellers came forward and a hand count was conducted. Results Yes 99 No 35 motion carried. The article reads as follows:

Selectman Roger Blomgren moved that the Town vote to amend the General By-laws ARTICLE V Streets and Sidewalks by adding the following Section 22 Corner Clearance:

Section 22 Corner Clearance

1. No person owning, possessing or having under his control any real estate abutting any intersection of streets, shall erect, place, plant or permit or suffer the

erection, placing or planting or maintenance of anything in such a manner that it shall impact safety by materially impeding the vision of operators of motor vehicles between a height of two and one half (2 1/2) and ten (10) feet above the grades of the intersecting streets in the area bounded by the street lines of said real estate and a line joining points thirty (30) feet along said street lines from the point of intersection of said street lines. Buildings existing as of October 17, 1994 are exempt from this by-law.

2. Any person who violates this provision and after being notified of violation by the Board of Selectmen in writing, permits said violation to continue for 30 days after receipt of notice, may be punished by a fine of not more than fifty dollars ($50.00) For the purposes of this section, each successive day during which any violation is committed or continued shall be deemed a separate offense.

UNDER ARTICLE 8 Selectman Roger Blomgren moved that the Town vote to enter into a cooperation agreement pursuant to M.G.L. Chapter 166 Section 22E with the utility company for the removal and replacement of facilities by the Municipality to facilitate the depression of overhead utilities in the Center Area and further described and shown on a set of plans on file in the office of the Town Engineer which is incorporated herein by reference.

Selectman Jeffrey Brem explained the article. He made a presentation to the body with slides that showed the utility poles as seen now and what the area would look like after the removal of the poles. The stretch of roadway shown is the Gateway to the Center. It is an eyesore that should be corrected. It is an investment for the future. The Town of Ayer has just done this. The Town could work with the utilities now and the cost would be 2% over the next five years. This would be added to the utilities bills. He cited the examples provided by the companies. The average monthly electric bill is $60.00 and phone bill is $30.00, the total cost is $90.00 per household. Which would be a average increase of $2.00 per month to pay for the project. A lengthy discussion took place. Many Representatives spoke in favor and against the article. They cited more important priorities that needed to be addressed at this time, However, many felt that this was an important issue that needed to be addressed now while cost factor co-operation was available from the utility companies. The Finance Committee was not in favor of the article. They felt that the over all cost did not merit the actual pay back to the town. The majority of the Board of Selectmen were not in favor of the article. It was suggested that perhaps a future non-binding question could be put before the town. John Emerson moved the question to stop debate. Motion carried unanimously, by a show of hands. The Moderator asked for a show of hands on the article, motion defeated.

UNDER ARTICLE 9 Selectman Roger Blomgren moved to amend the General By-laws V Streets and Sidewalks Section 29 Pond Street Closing by deleting Section 29 which reads as follows:

Section 29 Pond Street Closing

1. Pond Street in South Chelmsford shall be closed to vehicular traffic from Parkerville Road to a point twenty-five (25) feet northerly from the boundary line dividing the property of one Blaisdell and the South Chelmsford Village Improvement Association property, from June 15 to September 15, yearly.

2. Signs warning all persons of the provisions of this By-Law shall be erected at the intersection of Pond Street and Parkerville Road and a point twenty-five (25) feet northerly from the boundary line dividing the property of one Blaisdell and the South Chelmsford Improvement Association property.

3. Any violation of the by-law shall be punished by a fine or not more than twenty Dollars ($20.00) for each offense.

And substitute the following Section 29 Pond Street Closing

1. Pond Street shall be closed to vehicular traffic from Parkerville Road to a point twenty-five (25) feet northerly from the boundary line dividing the property of one Blaisdell and the South Chelmsford Village Improvement Association property.

2. Signs warning all persons of the provisions of this ByLaw shall be erected and Town maintained at the intersection of Pond Street and Parkerville Road and a point twenty-five (25) feet northerly from the boundary line dividing the property of one Blaisdell and the South Chelmsford Improvement Association property.

Selectman Roger Blomgren moved to dismiss the article. He explained that no representative from the South Chelmsford Village Association was available to address the article at this time. The Finance Committee was in favor of the motion to dismiss. The Moderator asked for a show of hands on the motion. Motion carried unanimously.

UNDER ARTICLE 10 Selectman William Dalton explained the article. He had been asked to bring this article to the body because the present zoning by-law does not allow revolving barber poles. The barber pole is the symbol of babers and traditionally it was always a moving, rotating pole. This would be the only amendment to the by-law. He stated that the Sign Advisory Committee was in favor of the article, and that the Planning Board supported the article as long as they could recommend one amendment to the article. Selectman Dalton presented the amendment. At the end of the first sentence, after the word pillars the following wording be added:

That only registered and licensed barber shops be allowed to display a barber pole and that the barber pole not exceed 18" in height.

The Finance Committee did not recommend the article. The

Board of Selectmen recommended the article.

James Good, Chairman of the Planning Board came forth and read the Board's recommendation:

The Planning Board held a public hearing on October 12, 1994 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on September 22nd and 29th, 1994 a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriated agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. At that meeting, the proponents, residents and the Planning Board discussed the merits of this zoning by-law change. The Planning Board voted (4-1) to recommend an amendment to the Town of Chelmsford Zoning By-laws under ARTICLE III, GENERAL REGULATIONS, section 3314 (a) prohibitions, to include the phrase "except for traditional illuminated babershop poles with revolving pillars". They have made this recommendation contingent upon the inclusion of the phrase "exclusive to registered Barbers" to be added at the end of the sentence and that the applicant present a favorable letter from the Sign Advisory Committee.

The Moderator asked for a show of hands on the motion to amend, motion carried, unanimously. The Moderator then asked for a show of hands on the main motion as amended. This left the Chair in doubt. The tellers came forward and a hand count was taken: Yes 114 No 10 2/3's is 82 the motion carried and the article reads as follows:

William Dalton moved that the Town vote to amend the Zoning By-law under III GENERAL REGULATIONS SECTION 3314 (a) Prohibition as follows:

Delete the existing Section 3314 (a) Prohibitions as follows:

(a) No moving, animated, revolving, moving light, or flashing sign or sign elements shall be permitted. No pennants, streamers, advertising flags, spinners, or similar devices shall be permitted.

And substitute the following Section 3314 (a)

(a) No moving, animated, revolving, moving light, or flashing sign or sign elements shall be permitted, except for traditional illuminated barber shop poles with revolving pillars. That only registered and licensed barber shops be allowed to display a barber pole and that the barber pole not exceed 18" in height. No pennants, streamers, advertising flags, spinners, or similar devices shall be permitted.

The Moderator made a point of order. He had a conflict with the following article and was stepping down as Moderator at this time. Town Counsel James Harrington would preside over the meeting during this article.

<u>UNDER ARTICLE 11</u> Attorney James Geary representing the Radisson Hotel explained that the Hotel would like to be able to offer rental of vehicles. Due to their building being in

the CD district zone, this use is not allowed. This use is allowed in the CB and the other hotel located in town is in this zone. His clients wanted to be compatible with their competition. There was a separate building located on the lot which would house the operation. A discussion took place regarding the parking and the amount of the vehicles this would entail. Attorney Geary said that there would be twenty-two cars and five trucks. The excise tax would be payable to the Town of Chelmsford. John Wilder questioned how it was done in the past. Attorney Geary explained that there was an office located in the Hotel whose service was offered only to patrons of the Hotel. Now the Hotel wants to extend the service which would go beyond the requirements of the zoning law, which is why this article is before the body. The Finance Committee recommended the article. The Board of Selectmen could not recommend due to having a 2-2 vote.

James Good of the Planning Board came forward and read the Board's recommendation:

The Planning Board held a public hearing on September 28 1994 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on September 1st and 8th, 1994, which meets the minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriated agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. At that meeting, the proponents, residents and the Planning Board discussed the merits of this zoning by-law change. It is the opinion of the Planning Board that the Motor Vehicle Rental Use as described in the legal ad is currently an appropriate and an accessory use for the CD zone. Therefore, in keeping consistent with the general intent of the Zoning By-laws for continuity in the development of the community, The Planning Board voted (3-2) to recommend this Zoning By-law Change to the Town of Chelmsford.

David McLachlan asked for defeat of the article. He cited creeping of business. Michael Sockol moved the question to stop debate. The Acting Moderator asked for a show of hands on the motion, motion carried, unanimously. The Acting Moderator asked for show of hands on the article. This left the Chair in doubt. The tellers came forward and a hand count was conducted: Yes 95 No 39 2/3's is 89 motion carried. the article reads as follows:

James Good moved that the Town vote to amend the existing Town of Chelmsford Zoning By-laws, Section 2300 Use -Regulations Schedule - Business Uses - Motor Vehicle Rentals - by authorizing such business use in a General Commercial District (CD) under a Special Permit for exception from the Planning Board as provided for in Section 1500.

Moderator Dennis McHugh returned to the podium.

Due to a Special Town Meeting already scheduled and because of the hour, Selectman Blomgren moved to adjourn the meeting to Monday October 24, 1994, 7:30 PM, at the Senior Center on Groton Road. The Moderator asked for a show of hands, motion carried, unanimously. He made a few announcements. He asked that the Representatives clean up

their tables. Also absentee ballots for the November 8th State Election were now available in the Town Clerk's Office. Halloween Trick and Treat Hours would be Sunday October 30th from 5 PM to 8PM. The Town Meeting adjourned at 10:45 PM.

Dennis J. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL TOWN MEETING
OCTOBER 24, 1994

The Annual Town Meeting was called to order at the Senior Center at 7:30 PM by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 142 Town Meeting Representatives present. He announced that the Board of Selectmen will hold a Tax Classification hearing on November 7th at 7:30 PM at the Town Office Building. The Moderator explained that there was a Special Town Meeting posted to begin at 7:30 PM therefore he was going to adjourn the Annual Town Meeting at this time and take up the posted Special.

SPECIAL TOWN MEETING
OCTOBER 24, 1994

Selectman Roger Blomgren moved the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. by a show of hands. Selectman Blomgren moved that the reading of the warrant be waived. It was so voted unanimously, by a show of hands.

UNDER ARTICLE 1 Selectman Roger Blomgren moved that the Town vote to amend the Chelmsford Home Rule Charter under Part III Elected Town Officers Section 3-1 (a) Elective Offices to include Assessor, Town Clerk, Treasurer Collector and Board of Appeals.

Selectman Roger Blomgren explained that a public hearing had been held on October 18th concerning the proposed charter changes. Since last year a Charter review sub committee had been formed. The members were Selectman Lawlor and Selectman Joyce, who heard suggested charter changes. Some of the areas addressed during the meetings were: the loss of balance of power, Town Manager to strong, more power should be given to the Board of Selectmen and not to the Town Manager, to many appointed officials and not enough elected officials, one person should not be able to appoint the Finance Committee. The following articles are a result of the feedback addressed from the sub committee meetings. If passed then these articles must be voted on as a ballot questions next April. The Board of Selectman worked closely with Town Counsel in order to make certain that the proposed changes addressed within the articles were handled correctly.

Selectman Blomgren proceeded to explain the purpose of article 1. He gave a presentation and explained the responsibilities that each position held. The Conservation Commission was not to be addressed. This Commission must be an appointed Board according to State law. He said that as of tonight's meeting the majority of the Board of Selectmen recommended the motion due to the elimination of the Conservation Commission. He asked if there were any questions. Barbara Ward questioned if there has been any problems within these positions if not then why change the process. Selectman Lawlor explained that no problems were

cited, just that the general conception that elected officials are closer to the public than appointed officials. Cheryl Warshafsky questioned what if just certain positions could be elected, could this be addressed in this article. Town Counsel James Harrington explained that there is a motion by Glenn Thoren to divide the question. This would allow the individual positions to be brought up and voted on separately on whether to be appointed or elected. The Moderator asked for the Finance Committee's recommendation. The Finance Committee felt that the positions should stay appointed by the Manager. The majority of the Board of Selectmen were in favor of the article. Edward Marshall spoke against the amendment and the article. He said that the Town Manager appoints these positions subject to the approval of the Board of Selectmen. He is accountable to the Board of Selectmen. Therefore, he must be allowed to appoint departmental heads/managers, which makes him accountable. He is responsible for their actions. The ability to get elected does not qualify a person for a position. The voter's do not necessarily know or understand what specific duties or responsibilities are required for a position. He did question, however, why the Board of Appeals, which is a policy making Board, is not appointed by the Board of Selectmen, instead of the Town Manager, regardless it definitely shouldn't be an elected board. Glenn Thoren explained that the voters should be able to have a choice on whether or not these positions should be elected ones. John Emerson questioned how could the article be dismissed if it was divided. The Moderator explained that if that is his intent then he should vote against dividing the question. If it passes to divide the question then each position would be voted on individually for dismissal. The Finance Committee opposes dividing the question. The Board of Selectmen are against dismissal of the article. The Moderator asked for a show of hands on the motion to divide the questions. Motion defeated. James Doukszewicz, who was a former elected official who became appointed under the Charter and has since left to work in the private sector spoke against electing these positions, and urged for defeat of the article. Brad Emerson moved the question to stop debate. This left the Chair in doubt, the following tellers came forward and a hand count was taken, Patricia Plank, Dorothy Frawley, Jean Horgan, Lucy Simonian. Result of the hand count:
Yes 111 No 7, 79 is 2/3's motion carried. The Moderator asked for show of hands on the article, motion defeated.

UNDER ARTICLE 2 Selectman Roger Blomgren moved that the Town vote to amend the Chelmsford Home Rule Charter under Part III, Section 3-2 (c), Board of Selectmen Appointment Powers, by deleting the following:

"(c) Appointing Powers

The Board of Selectmen shall appoint a Town Manager, a Town Counsel, a Town Accountant, and a Board of Registrars of Voters (but not including the Town Clerk). The Board of Selectmen shall also appoint such other multiple member bodies as may be provided by by-law."

and add the following as Part III, Section 3-2 (c):

"(c) the Board of Selectmen shall appoint a Town Manager, a Town Counsel, a Town Accountant, and a Board of Registrars of Voters (but not including the Town Clerk). The Board of Selectmen shall also appoint such policy advisory committees as they deem necessary, and such other multiple member bodies as may be provided by by-law."

Selectman Blomgren explained that presently the Town Manager has sole responsibility for appointing all other officials and committees except those mentioned above. The Manager appoints the committee's who are to advise the Board of Selectmen, such as: Solid Waste Advisory, Economic Development Advisory, Municipal Building Advisory, This is the third time that this has come up. Liz Marshall questioned the wording. She said that the Selectmen vote whether or not to accept the Town Manager's recommendation when an appointment is made to a committee. David McLachlan wanted to know what this article would accomplish. Selectman Robert Joyce explained that the word "policy" is the key word. Henrick Johnson spoke against the article. Glenn Thoren explained that the Selectmen want the opportunity to be able to make their own appointments to a commmitte that is formed to study and advise them on certain issues. More discussion took place. Barry Balan questioned if multiple committee's will be formed. Barbara Scavezze who is presently a member of the Solid Waste Committee wanted to know if this was the case, which committee would be responsible for reporting information, and then who will make the final decision when the time comes. The Finance Committee didn't approve of the wording in the article. The Board of Selectmen supported the article. The Moderator began to ask for a vote by way of a show of hands, Jeffrey Stallard requested a roll call vote be taken. The by-law requires that 40 Town Meeting Representatives must be in favor of conducting a roll call. The tellers came forward and a hand count was taken, 76 Representatives voted in favor.

The Moderator explained the process that would take place. The Town Clerk would read each name alphabetically within each of the nine precincts. Mary St.Hilaire read each of the 162 Representatives names beginning with precinct 1 and recorded their votes as Yes No or absent. The process took 15 minutes. The Moderator then allowed a one time chance for any representative to change their vote. One representative in precinct 6 did change from an absent to a no vote. The total count was : Yes 69 No 73, 20 absent/abstain. The motion was defeated. **Note:** The actual results are on file in the Town Clerk's Office.

Michael Sockol requested that a time limit for questions and answers be set at ten minutes. The Moderator asked for a show of hands on the suggestion, which was defeated.

The Town Moderator stepped aside for this article. Town Counsel James Harrington took over the meeting.

UNDER ARTICLE 3 Selectman Roger Blomgren moved that the Town vote to amend the Chelmsford Home Rule Charter under Part III, Elected Town Officers Section 3-4 Town Moderator

(b) Powers and Duties by deleting the third sentence of subsection (b) which reads as follows:

The Moderator shall appoint a Finance Committee as provided by bylaw.

and further amend the Chelmsford Home Rule Charter under Part II Legislative Branch/Representative Town Meeting Section 2-12 Procedures (d) Establishment of Committees by adding the following paragraph:

"The Town Meeting Members shall appoint a Finance Committee as provided by bylaw."

The action of Town Meeting under this Article shall be contingent upon an affirmative vote on a motion under Article 4 of this Warrant establishing a by-law for appointment of a Finance Committee. Failure of an affirmative vote on the motion under Article 4 shall render this vote a nullity.

Selectman Blomgren spoke about the article. It was felt that this committee is often used as a stepping stone to go onto other offices. Barry Balan said that the Moderator does a fine job appointing these positions. Cheryl Warshafsky spoke in favor of the article, voters should be able to decide on who should appoint the members to the Finance Committee. Selectman Lawlor spoke against the article. The Finance Committee did not recommend the article. The majority of the Board of Selectman recommended the article. The Acting Moderator asked for a vote by way of a show of hands, motion defeated.

Dennis McHugh returned to the podium as the Moderator.

UNDER ARTICLE 4 Selectman Roger Blomgren moved that the Town vote to amend the General By-laws Article III Town Officers SECTION 1 FINANCE COMMITTEE, by deleting Section 1 in its entirety which reads as follows:

SECTION 1 FINANCE COMMITTEE - The Town Moderator shall appoint a Finance Committee which shall be composed of seven (7) members; each of whom shall serve for a term of not more than three (3) years from the date of appointment.

and insert the following SECTION 1 FINANCE COMMITTEE:

SECTION 1 Finance Committee - The Town Meeting Members shall appoint a Finance Committee composed of one member for each precinct in the Town with each precinct voting and appointing one member to said committee. The Town Meeting Members shall vote by precinct at the Annual Spring Town Meeting and the person receiving a majority vote of the Town Meeting Members present and voting within each precinct shall be appointed for a three year term commencing August 1st of the year of appointment. The Precinct Meeting shall require a quorum of fifty percent of the Town Meeting Members in each precinct to vote on the appointment . The Finance Committee member shall not be required to be a Town Meeting Member but shall reside within the precinct voting on the appointment.

The validity of this amendment shall be contingent upon

a valid amendment to the Chelmsford Home Rule Charter under article 3 of this Warrant.

Selectman Blomgren moved to dismiss the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 5 Selectman Roger Blomgren moved that the Town vote to amend the General By-laws Article II Town Meeting Section 4 Procedures Subsection 4.17 by deleting said subsection which reads as follows:

4.17 ROLL CALL BALLOT - A main motion on any article shall be voted upon by roll call ballot if forty (40) town meeting representatives so vote as the end of debate of that main motion and before a motion under the next article.

and substituting in its place the following:

4.17 ROLL CALL BALLOT - A main motion on any article shall be voted upon by roll call ballot if eighteen (18) town meeting representatives so vote as the end of debate of that main motion and before a motion under the next article.

Selectman Blomgren spoke about the article. The Finance Committee and the Board of Selectmen were in favor of the article. David McLachlan felt that the Body should wait until the Committee that was formed in the Spring (Voting Procedure Committee) reports it's findings. He was a member of the original rules committee and at that time it was felt that 40 Representatives requesting a roll call vote was sufficient. The Town Meeting Representatives approved of this number also and voted it as a by-law. John Emerson spoke in favor of the article. He felt that it would keep everyone present until the end of the night. Cheryl Warshafsky spoke in favor citing more accountability. John Carson spoke against the article. The Moderator asked for a show of hands, motion defeated.

UNDER ARTICLE 6 Selectman Roger Blomgren moved that the Town vote to appoint a committee to consist of one Town Meeting Representative from each precinct to be elected by the Representatives of that precinct for the purpose of conducting a study and preparing a report of recommendations to the Town Meeting to review the current parliamentary procedures. Theses recommendations may take the form of proposed amendments to the General Bylaws or Charter as deemed appropriate. The report to be presented at the 1995 Annual Spring Town Meeting.

Selectman Blomgren spoke about the article. Michael Sockol asked what was the difference from the proposed committee and the committee that was voted in the spring, (The Voting Procedure Committee). The Moderator read the minutes of article 16 of the May 2, 1994 Spring Town Meeting. A discussion took place. Selectman Blomgren suggested that perhaps the duties requested between the two articles could be combined, and the committee that was formed in the Spring would undertake it. Susan Olsen moved to amend the article by deleting the last sentence and add then those currently

serving on the Rules Committee be delegated this task and the report be presented at the Fall Annual Town Meeting. Edward Marshall who was a member of the Committee was not in favor the amendment. Their purpose was to study and report on the one issue of voting procedures, and that is all they should do. Sandra Kilburn also a member of the committee said that was the only item she was going to participate in, if anything else was to be done then she would resign. Barry Balan suggested that perhaps the Selectmen should remove the article and bring it back at the Spring Meeting. The Moderator asked for a show of hands on the motion to amend, motion defeated. More discussion took place under the main motion. Dennis Ready spoke against the article. The Moderator asked for vote by way of a show of hands, motion defeated.

UNDER ARTICLE 7 Selectman Roger Blomgren moved that the Town vote to amend the General By-Laws Article IV Financial Regulation Section 4 Capital Planning Committee by deleting the first sentence that reads as follows:

A committee to be known as the Capital Planning shall be established and shall be composed of the following committee members: The Town Accountant (non-voting member), the Town Treasurer, one (1) member designated by the School Committee, one (1) member designated by the Finance Committee, one (1) member designated by the Board of Library Trustee, and two (2) citizens of the Town of Chelmsford to be appointed by the Board of Selectmen who are neither a municipal employee of the Town or an elected or appointed Town Official except that they may be Town Meeting Members.

and substitute the following in its place:

A committee to be known as the Capital Planning shall be established and shall be composed of the following committee members: The Town Accountant (non-voting member), the Town Treasurer, one (1) member of the Board of Selectmen, one (1) member designated by the School Committee, one (1) member designated by the Finance Committee, one (1) member designated by the Board of Library Trustee, and two (2) citizens of the Town of Chelmsford to be appointed by the Board of Selectmen who are neither a municipal employee of the Town or an elected or appointed Town Official except that they may be Town Meeting Members.

Selectman Blomgren explained why the Board of Selectmen felt that a member of their Board should be on the committee. A discussion took place. The Finance Committee was against the article. The Board of Selectmen were in favor. The Moderator asked for a vote by way of a show of hands, motion defeated.

George Ripsom moved for re-consideration of article 2. The Finance Committee did not recommended the motion for reconsideration. The majority of the Board of Selectmen were not in favor of the motion. Cheryl Warshafsky spoke in favor of the motion. Michael Sockol moved the question to stop debate. The Moderator asked for a show of hands on the motion to stop debate, motion carried. The Moderator asked for a show of hands on the motion to reconsider, motion

defeated.

At this time seeing that there was no further business, Michael Sockol moved to adjourn the Special Town Meeting at 10:25 PM in order to reconvene the Adjourned Annual Town Meeting. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 12 James Good moved that the town vote to amend the existing Town of Chelmsford Zoning Map by removing the following described properties on the southerly side of Mill road (also known as Russell Mill Road) from Public District (P) and placing said properties in a Residential B District (RB)

PARCEL I

The property described in a deed to Merrimack Education Center, Inc., dated January 3, 1978 and recorded with the Middlesex North District Registry of Deeds in Book 2284, Page 545. Said property contains 1.73 acres more or less. This property is also identified as 101 Mill Road and shown as Map 142, Lot 66 on the records of the Town of Chelmsford Board of Assessors.

PARCEL II

The easterly portion of the property described in a deed to Lloyd C. Green, Jr., dated May 19, 1954 and recorded with the Middlesex North District Registry of Deeds in Book 1255, Page 573. This property is also identified as a portion of 99 Mill Road and shown as the easterly portion of Map 141, Lot 1 on the records of the Town of Chelmsford Board of Assessors.

The Moderator asked for the Finance Committee's recommendation. The Finance Committee supported the article, Dwight Hayward explained that this was clarification of a zoning district line that had been inadvertently rezoned during the 1986 master plan update. The Board of Selectmen recommended the article.

James Good, Chairman of the Planning Board came forth and read the Board's recommendation:

The Planning Board held a public hearing on October 12, 1994 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on September 22nd and 29th, 1994 a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriated agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. At that meeting, the proponents, residents and the Planning Board discussed the merits of this zoning by-law change. It is the opinion of the Planning Board that the area on Mill Road that was described in the legal ad is currently incorrectly zoned. Therefore, in keeping consistent with the general intent of the Zoning By-laws for continuity in the development of the community, the Planning Board voted (5-0) to recommend an amendment to the Town of Chelmsford Zoning Map to remove the property on 99 Mill Road and 101 Mill Road (P) Public and place all of said

property in a (RB) Residential (B) District.

The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 13 Town Manager Bernard Lynch moved that the Town vote to establish a Special Revenue Fund to set aside Special Education reimbursements form the medicaid system.

Town Manager Bernard Lynch explained the article. The School Committee in the Spring session gave a presentation regarding their budget operation. Some of the money they anticipated to receive was to come from the Federal Government through the medicaid program. This was the reimbursement of the costs associated with special education. The money has not yet arrived, but once it does it needs to be segregated, which is the purpose of this article, to set up a Special Revenue Account Fund. The Finance Committee was in favor of the article. The Board of Selectmen are in favor of the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 14 Town Manager Bernard Lynch moved to transfer a certain sum of money from Medicaid Special Education Reimbursements, Special Revenue, to amend the Fiscal Year 1995 Budget contained within the 1994 Annual Town Meeting 26, Line Item, 6, Chelmsford School Department.

Bernard Lynch moved to dismiss this article. He had explained in the previous article that because the funding has yet to arrive from the Federal Government there is no money to transfer at this time. The Finance Committee and the Board of Selectmen were in favor of dismissing the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 15 Town Manager Lynch explained the purpose of the article. He said that as part of the School Department's Comprehensive Budget Plan presented at the past spring meeting, a certain sum of money was to be saved and carried over to FY 1995. Due to a the requirement of State law this is no longer an option. It has been generated to free cash. $112,000.00 needs to be transferred in order for the School Department to maintain their budget and level of operation as presented in the spring. John Carson asked Dr Moser, Superintendent of Schools to update the body on what has happened to the schools since the School Committee didn't receive their requested funding from the Town. Dr Moser explained that 112 additional students were added to the roles. The re-organization process that was required due to lack of funding went well. However, the results are larger classrooms in the Kindergarten through fourth grade classrooms. 86 more students were added in these areas. If the Town was to budget him the additional $100,000.00, which was requested in the spring, then the pressing need for supporting the increase in class size could be addressed. Eight more class room aides could be added, additional guidance counselors in the high school area, and instrumental music could continue. This would be a one time expenditure.

John Carson asked Bernard Lynch where this additional money could come from. The Town Manager explained that the money from free cash, in which $190,000 was money being returned from the Solid Waste Program due to funding from the override question in 1992 could be dispersed differently within the remaining articles, if so voted. Example, if the Body wanted to take the amount from article 16 and apply it towards this article that would be an avenue. Discussion took place. The Finance Committee supported the article. The Board of Selectmen supported the article. John Carson moved to amend the figure to read $200,000.00 and explained that the money would come from article 16. More discussion took place. A number of Representatives spoke in favor of the increase. The Finance Committee did not recommend the amended figure. The Board of Selectmen were against the increase. John Coppinger asked what the anticipated tax increase would be on a average $150,000.00 home when the tax rate was set for this year. The Town Manager explained that the figures are still being worked on but an anticipated increase could be between $150.00 to $180.00. Cheryl Warshafsky asked what was the amount that the average household would receive back if the $190,000.00 was used to reduce the tax rate. The Town Manager explained that based on an $160,000.00 assessment that each household would receive $15.00 or $20.00 per household if the free cash amount stayed at $250,000.00. Cheryl Warshafsky felt that this would be an good investment for the Town and supported the amendment to increase the amount given to the School Budget. Michael Sockol spoke in favor citing that now was the time to spend the money, it wasn't feasible last April when it wasn't available. Barry Balan spoke against the increase. He felt that the School Department should be given the $112,000.00 because that was what they were budgeted for, but they should be live within their budget like all the other departments do. George Merrill spoke against the motion to amend. More discussion took place. Henrick Johnson moved the question to stop debate. The Moderator asked for a show of hands, motion carried, unanimously. He then asked for a show of hands on the motion to amend the figure to read $200,000.00. Motion carried. The Moderator then asked for a show of hands on the main motion as amended, motion carried. The article reads as follows:

Town Manager Bernard Lynch moved that the town vote to transfer the sum of $200,000.00 from Line Item 28 Undistributed Expenses to Line Item 6 Chelmsford School Department.

UNDER ARTICLE 16 Town Manger Bernard Lynch moved that the Town vote to reduce the sum raised and appropriated under Article 26 of the Annual Spring Town Meeting in May 1994 by $88,000 and amend the 1995 Budget by decreasing Line Item 28 Undistributed Expenses by said sum.

The Town Manager moved to dismiss this article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 17 Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of $35,512.00 with which to meet bills from previous years.

The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 18 Town Manager Bernard Lynch moved that the town vote to transfer and appropriate from Free Cash the sum of $826,600.00 to the Stabilization Fund.

The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 19 Town Manager Bernard Lynch moved that the town vote to instruct the Board of Assessors to issue the sum of $190,000.00 from Free Cash in the Treasury for the reduction of the tax rate.

The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 20 Town Manager Bernard Lynch moved that the Town vote to instruct the Board of Assessors to issue the sum of $578,918.00 from Free Cash in the Treasury to balance the FY 95 budget.

The Moderator asked for a show of hands, motion carried, unanimously.

The Town Manager announced that the quarterly financial reports required by Town Meeting vote, were available tonight at the back of the hall, and will also be at the Town Office Building.

The Moderator asked that the Representatives cleanup their tables after the meeting adjourns.

Seeing that there was no further business at hand, Michael McCall moved to adjourn the Town Meeting. The Moderator asked for a show of hands, motion carried, unanimously. The meeting adjourned at 11:10 PM.

Dennis J. McHugh, Moderator	Mary E. St.Hilaire, Town Clerk

TOWN MEETING PREPRESENTATIVES
PRECINCT 1

STM, 10/24/94

			MEETING DATES									
			2									
Allison	Richard G.	189 Littleton Rd #48	N									
Brough	Kathryn	14 High St	N									
Currier	Marian D.	54 Boston Rd	N									
Currier	Philip L.	54 Boston Rd	N									
Good	James P.	4 Burning Tree Ln.	N									
Harvey, III	William L.	3 Manhattan Dr.	A									
Joyce	Robert P.	103 Turnpike Rd	Y									
Kaplan	Cynthia J.	22 Bartlett St	N									
Kilburn	Sandra A.	11 Golden Cove Rd	Y									
Lewin	Nina S.	1 Boyds Lane	N									
Martinez	Sandra B.	1 Carter Dr	Y									
McCarthy	Elizabeth A.	48 Bartlett St	A									
McClure	Martha	23 Billerica Rd	Y									
McDougall	Frances T.	11 Dawn Dr	N									
Rook	Jean B.	41 Westford St	A									
Sousa, Jr.	John B.	30 Worthen St B9	Y									
Spence	William E.	91 Billerica Rd	Y									
Wetmore	Ronald W.	247 Acton Rd	Y									
		Y	7									
		N	8									
TOTAL			3									

7 - Y

8 - N

3 - A

TOWN MEETING REPRESENTATIVES
PRECINCT 2

STM 10/24/94

			MEETING DATES									
			2									
Bell	Barry T.	5 Mansur St	N									
Carey	TImothy M.	16 Middlesex St. Apt #8	Y									
Carkin	Richard E.	15 Sharon Av	Y									
Clark	Bernard V.	11 Sharon Av	Y									
Conlin	Francis M	14 John St	Y									
Curran	Patrick Mike	54 Sherman St	Y									
Dalton	Linda H.	12 Dartmouth St	Y									
Dalton	William F.	12 Dartmouth St	Y									
Foster	Bonnie I.	31 Groton Rd	A									
Foster	Harry A.	31 Groton Rd	A									
Foster	Jesse C.	31 Groton Rd	A									
Hardy	Alan J.	17 Princeton St	A									
Harper, Sr	Bruce J.	9 Harvard St	Y									
Merrill	George L.	108 Dunstable Rd	Y									
Miskell	Francis G.	38 Groton Rd	Y									
Norkunas	Stanley W.	58 Church St	Y									
Stallard	Jeffrey W.	146 Tyngsboro Rd	Y									
Welch	Mary Jo	31 Kennedy Dr	Y									
TOTAL			Y 13 / N 1 / A 4									

Y	N	A
13	1	4

TOWN MEETING REPRESENTATIVE
PRECINCT 3

STM 10/24/94

			MEETING DATES									
			2									
Abely	George F.	87 Swain Rd	A									
Curran	Michael F.	58 Crooked Spring Rd	Y									
Emerson, Jr	John P.	8 Loiselle Ln	Y									
Fisher	Kathryn M.	2 Kelshill Rd	N									
Garrahan	Christopher T.	4 Maynard Circle	N									
Gleason	Christine A.	7 Loiselle Ln	A									
Hutchinson	Cathy A.	233 Main St	Y									
Knight	Nancy J.	29 Stonehill Rd	N									
Lambert	D. Lorraine	91 Main St	Y									
Lyons	Gerard J.	152 Dunstable Rd	Y									
Matzkin	Harold I.	E24 Scotty Hollow Dr	N									
McCall	Michael F.	151 Main St	N									
McEnany	Henry R.	B18 Scotty Hollow Dr	Y									
Merriam	Carol W.	8 Lovett Ln	N									
Moran	Thomas E.	19 Dennison Rd	Y									
Olsen	Susan M.	140 Groton Rd	N									
Welch	Thomas J.	56 Crooked Spring Rd	A									
Wright	Douglas L.	256 Dunstable Rd	Y									
TOTAL		Y	8									
		N	7									
		A	3									

Y N A
8 7 3

TOWN MEETING REPRESENTATIVES
PRECINCT 4

STM 10/24/94

			MEETING DATES									
			2									
Allen	Linda J.	9 Clancy St	Y									
Balan	Barry B.	17 Jessie Rd	N									
Blomgren	Dolores A.	16 Oak Knoll Rd	Y									
Coppinger	John G.	20 Ansie Rd	N									
Firth, Jr	Thomas E.	15 Oak Knoll Av	A									
Hibbard	John R.	50 Manning Rd	Y									
Johnson, Jr	Henrick R.	53 Stonegate Rd	N									
Manahan	Helen A.	26 Muriel Rd	Y									
Marcella	Lynn M.	74 Carlisle St	A									
Martin	William D.	25 Empire St	Y									
O'Sullivan	Cheryl L.	10 Beaulieu St	Y									
O'Sullivan	John G.	10 Beaulieu St	Y									
Pacht	Gerald W.	44 Carlisle St	N									
Redican	Kathleen M.	80 Carlisle St	N									
Ripsom,Sr.	George A.	33 Porter Rd	Y									
Sartz, III	Jacob P.	83 Gorham St	Y									
Seidel	Carl W.	25 Ruthellen Rd	Y									
Sullivan,III	Daniel J.	4 Shedd Lane	N									
		Y	10									
TOTAL		N	6									
		A	2									

Y	N	A
10	6	2

TOWN MEETING REPRESENTATIVES
PRECINCT 5

STM 10/24/94

			MEETING DATES									
			Z									
Brooks	Robert E.	142 Park Rd	Y									
Carmeris	Dean	20 Higate Rd	N									
Doyle	Matthew J.	14 Mansfield Dr	Y									
Hall	Robert D.	35 Maple Rd	Y									
Hillman	Kathllen F.	94 Proctor Rd	Y									
Mallette	Stephen J.	13 Wedgewood Dr	N									
McLaughlin	David P.	118 Garrison Rd	Y									
Sockol	Michael N.	360 Littleton Rd	N									
Stevens	Jonathan A.	126 Robin Hill Rd	N									
Temple	Denise A.	17 Pinewood Rd	N									
Temple	Steven J.	17 Pinewood Rd	A									
Thomas, Jr	W. Allen	374 Littleton Rd	N									
Thoren	Evelyn S.	18 Pinewood Rd	Y									
Thoren	Glenn R.	18 Pinewood Rd	Y									
Ward	Barbara	15 Pinewood Rd	N									
Wilder	Bonnie G.	3 Higate Rd	Y									
Wilder	John W.	3 Higate Rd	Y									
Wojtas	Patricia	24 Elm St	N									
TOTAL			Y 9 N 8 A 1									

Y	N	A
9	8	1

TOWN MEETING REPRENTATIVES
PRECINCT 6

STM 10/24

MEETING DATES

				2								
Burt	Earl C.	38 Woodlawn Av		N								
Carson	John W.	26 Ideal Av		N								
Delaney	Ruth K.	14 Evergreen St		A								
Dubner	Janet G.	46 Dalton Rd	N	A								
Frantz	Daniel R.	34 Miland Av		N								
Frantz	Mary E.	34 Miland Av		N								
Gruber	Martin A.	8 Dalton Rd		N								
Hadley	Steven B.	2 Fern St		Y								
Hall	Howard J.	5 Hillcrest Dr		N								
Johnson	Margaret A.	38 Woodlawn Av		N								
Lawlor	Peter V.	50 Dalton Rd		Y								
Marshall	Edward S.	16 Colonial Dr		N								
Marshall	M. Elizabeth	16 Colonial Dr		N								
McLachlan	David J.	51 Brentwood Rd		N								
Moores	Arthur J.	23 Steadman st		N								
Nebalski	Ralph M.	10 Sunset Av		N								
Parquette	Michael R.	20 Sylvan Av		N								
Warshafsky	Cheryl M.	2 Moonbeam Av		Y								
TOTAL			Y 2 A	3 14 1								

Y	N	A
3	14 13	2 1

TOWN MEETING REPRESENTATIVES
PRECINCT 7

STM 10/24/94

MEETING DATES

			2									
Carpenter	David A.	131 School St	A									
Doolan, III	Leonard W.	52 Amble Rd	N									
Dulchinos	Peter	17 Spaulding Rd	N									
Emerson	Bradford O.	30 Lantern Lane	N									
Fitzpatrick	Kathleen S.	15 Footpath Rd	N									
Gates	Susan J.	7 Trotting Rd	N									
Gleason	Paul F.	30 Pine Hill Rd	N									
Hass	Judith	27 McIntosh Rd	N									
Hayward	Dwight M.	59 Amble Rd	N									
Leo	Steven P.	31 Thomas Dr	Y									
Miethe	Francis J.	10 Thomas Dr	Y									
Morabito	Linda G.	28 Clover Hill Rd	N									
Ready	Bernard A.	31 Clover Hill Rd	Y									
Ready	Dennis J.	2 Abbott Lane	Y									
Scavezze	Barbara J.	3 Mountain Laurel Dr	N									
Stark	Carol A.	4 Hostler Rd	N									
Stubbs	Jonathan C.	121 School St	N									
Wikander	Frederick W.	17 Wagon Trail Rd	N									
TOTAL			Y 4 N 13 A 1									

Y	N	A
4	13	1

TOWN MEETING REPRESENTATIVES
PRECINCT 8

STM 10/24/94

			MEETING DATES									
			2									
Abbott	John E.	384 North Rd	Y									
Cleven	Walter A.	4 Arbutus Av	N									
Day	Richard J.	6 Merilda Av	Y									
Dufour	D.Maigread A.	20 Walnut Rd	A									
Fitzgerald	Marie M.	25 Garland Rd	Y									
Gervais	Alexander W.	5 Arbutus Av	Y									
Harbison	Katherine C.	28 Charlemont Court	N									
Hulslander, Jr	Ralph J.	74 Smith St	Y									
Johnson	Peter G.	85 Lock Rd	Y									
Keohane	William P.	82 Prescott Dr	A									
Mackey	Robert P.	16 Columbia St	N									
Neild	Kathleen A.	5 Lafayette Terrace	Y									
Poulten	Bernice F.	16 Berkeley Dr	Y									
Poulten	Gail E.	16 Berkeley Dr	Y									
Poulten	Samuel	16 Berkeley Dr	Y									
Sousa	James A.	3 Pleasant St	Y									
Villano	Deborah	10 Gregory Rd	N									
Weisfeldt	Stuart G.	13 Overlook Dr	N									
TOTAL			Y 11 N 5 A 2									

Y N A

11 5 2

TOWN MEETING REPRESENTATIVES
PRECINCT 9

STM 10/24

			MEETING DATES									
			2									
Abbott	Eleanor D.	8 Ranch Rd	N									
Bahia	Michael E.	36 Old Stage Rd	Y									
Barre	Francis J.	3 Sandra Dr	N									
Cady	Edward A.	10 Crockett Dr	N									
Christiano	C. Thomas	6 Drew Circle	Y									
Consalvi	Steven Arthur	5 Kristen Dr	A									
Elias	Donald L.	28 Regina Dr	N									
Elias	Phyllis M.	28 Regina Dr	N									
Emmet	Henry T.	13 Smokerise Dr	A									
Fudge, Jr	John S.	32 Janet Rd	N									
Galpin Jr	Allan T.	2 Santa Fe Rd	N									
Harrington	John G.	149 Boston Rd	N									
Mahoney	Daniel F.	11 Craig Rd	A									
Morse	Robert C.	45 Clarissa Rd	Y									
Moyer	Alan L.	23 Clarissa Rd	Y									
Pajak	Alan R.	4 Sandra Dr	N									
Peterson	Frank R.	6 Laredo Dr	N									
Piper	Charles A.	4 Clarissa Rd	N									
TOTAL			Y 4 N 11 A 3									

Y	N	A
4	11	3

TOWN WARRANT FOR STATE ELECTION

NOVEMBER 8, 1994

COMMONWEALTH OF MASSACHUSETTS

IDDLESEX, SS.

o the Constable of the Town of Chelmsford:

reeting:

n the name of the Commonwealth you are hereby required to notify and warn he Inhabitants of said Town who are qualified to vote in State Elections o vote at:

recinct 1:	Town Office Gymnasium, 50 Billerica Road
recinct 2:	Harrington School Gymnasium, 120 Richardson Road
recinct 3:	Harrington School Gymnasium, 120 Richardson Road
recinct 4:	Westlands School Cafeteria, 170 Dalton Road
recinct 5:	Byam School Cafeteria, 25 Maple Road
recinct 6:	Westlands School Cafeteria, 170 Dalton Road
recinct 7:	McCarthy Middle School, Small Gymnasium, 250 North Road
recinct 8:	McCarthy Middle School, Small Gymnasium, 250 North Road
recinct 9:	Town Offices Building Gymnasium, 50 Billerica Road

n Tuesday, the eighth day of November, 1994 from 7:00 A.M. to 8:00 P.M. or the following purposes:

) To case their votes in the State Election for the candidates of olitical parties for the following offices:

.S. SENATOR	FOR THE COMMONWEALTH	
OVERNOR	" "	"
T.GOVERNOR	" "	"
TTORNEY GENERAL	" "	"
ECRETARY	" "	"
REASURER	" "	"
UDITOR	" "	"
EPRESENTATIVE IN CONGRESS.	.Fifth	Congressional District
OUNCILLOR.	.Third	Councillor District
ENATOR IN GENERAL COURT.	.Fifth Middlesex	Senatorial District
EPRESENTATIVE IN GENERAL COURT. .	.16th Middlesex	Representative District
ISTRICT ATTORNEY.	.Northern	District
LERK OF COURTS.	Middlesex	County
EGISTER OF DEEDS.	.Middlesex Northern	District
OUNTY COMMISSIONER.	Middlesex	County

To Vote on the following Questions:
#1 - Regulating Spending on Ballot Question Campaigns
#2 - Seat Belt Law
#3 - Changing the Law Regarding Student Fees
#4 - Term Limits
#5 - Opening of Retail Stores on Sunday Mornings and Certain Holidays
#6 - Graduated Income Tax
#7 - Personal Income Tax Changes
#8 - State Highway Fund Changes
#9 - Prohibiting Rent Control

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 24th day of October 1994.

Roger A. Blomgren | William F. Dalton | Peter V. Lawlor

Robert P. Joyce | Jeffrey A. Brem

Selectmen of: Town of Chelmsford

COMMONWEALTH OF MASSACHUSETTS

IDDLESEX, SS October 25 , 1994

Pursuant to the within warrant, I have notified and warned the nhabitants of the Town of Chelmsford by posting up attested copies of same t the following places, to wit:
own Office Building Gym, Harrington School Gymnasium, Harrington School ymnasium, Westland School Cafetorium, Byam School Cafetorium, Westland chool Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle chool Small Gymnasium and Town Office Building Gym, and Town Office uilding Lobby.

Signed:

William E. Spence
Constable

True Copy Attest,

William E. Spence, Constable

STATE ELECTION
November 8, 1994

Amended Nov 18, 1994 to count one out of the country ballot in pct 1 w/a postmark of Nov 8th
*Candidate for re-election

OFFICES and CANDIDATES	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
SENATOR IN CONGRESS										
Blanks	61	22	28	27	28	22	24	28	29	269
Edward M. Kennedy*	722	641	801	763	846	923	842	792	764	7094
W. Mitt Romney	759	547	765	660	798	848	956	718	776	6827
Lauraleigh Dozier	8	10	11	10	11	8	4	6	12	80
William A. Ferguson Jr	2	3	1	2	3	5	4	1	0	21
Write-In	0	1	1	0	1	0	1	0	0	4
Misc	0	1	1	0	0	0	0	0	0	2
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
GOVERNOR										
Blanks	47	23	23	25	33	30	17	20	28	246
Weld and Cellucci*	1205	932	1267	1134	1326	1403	1525	1218	1292	11302
Roosevelt and Massie	289	259	309	294	306	360	282	299	250	2648
Cook and Crawford	10	9	7	7	17	11	7	6	9	83
Rebello and Giske	1	1	1	1	3	2	0	2	0	11
Write-In	0	1	1	1	2	0	0	0	2	7
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
ATTORNEY GENERAL										
Blanks	97	54	71	68	93	72	76	61	72	664
L. Scott Harshbarger*	949	792	1032	897	1044	1196	1114	955	943	8922
Janis M. Berry	505	379	504	495	550	538	641	528	565	4705
Write-In	1	0	0	1	0	0	0	1	1	4
Misc	0	0	1	1	0	0	0	0	0	2
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
SECRETARY OF STATE										
Blanks	250	141	181	178	219	208	247	165	192	1781
Arthur E. Chase	637	464	683	576	698	735	858	658	686	5995
William Francis Galvin	611	584	690	663	711	818	674	676	653	6080
Peter C. Everett	50	36	54	45	58	44	51	44	49	431
Write-In	1	0	0	0	1	0	0	1	0	3
Misc	3	0	0	0	0	1	1	1	1	7
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
TREASURER										
Blanks	105	60	84	71	83	86	81	72	65	707
Joseph Daniel Malone*	1088	837	1111	990	1199	1273	1411	1089	1163	10161
Shannon Patricia O'Brien	297	273	348	341	338	396	290	326	287	2896
Susan B. Poulin	33	39	35	35	38	28	28	33	34	303
Thomas P. Tierney	29	16	30	25	29	23	21	24	31	228
Write-In	0	0	0	0	0	0	0	1	0	1
Misc	0	0	0	0	0	0	0	0	1	1
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
AUDITOR										
Blanks	216	129	180	152	213	194	214	173	151	1622
A. Joseph DeNucci*	873	780	991	918	990	1108	1047	922	914	8543
Forrester A. "Tim" Clark Jr	428	273	390	359	445	461	530	406	476	3768
Geoff M. Weil	32	43	46	33	39	43	40	41	39	356
Write-In	0	0	0	0	0	0	0	1	0	1
Misc	3	0	1	0	0	0	0	2	1	7
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
REP IN CONGRESS 5TH DIST										
Blanks	102	51	77	63	85	83	91	70	76	698
Martin T. Meehan*	1036	846	1110	1001	1111	1258	1202	1022	999	9585
David E. Coleman	414	326	419	395	491	464	538	451	504	4002
Write-In	0	0	1	1	0	0	0	1	1	4
Misc	0	2	1	2	0	1	0	1	1	8
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
COUNCILLOR 3RD DIST										
Blanks	363	262	357	287	395	395	436	347	358	3200
Cynthia S. Creem	579	557	673	643	647	777	596	613	577	5662
William M. Monnie	608	406	578	530	642	633	796	582	643	5418
Write-In	0	0	0	0	2	1	1	1	1	6
Misc	2	0	0	2	1	0	2	2	2	11
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
SENATOR IN GENERAL COURT 5TH MDLSX										
Blanks	417	321	418	389	441	508	431	416	422	3763
Lucile "Cile" P. Hicks*	1120	884	1177	1057	1237	1283	1388	1116	1153	10415
Write-In	10	12	1	7	6	4	6	7	3	56
Misc	5	8	12	9	3	11	6	6	3	63
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
REP IN GENERAL COURT 16TH MDLSX										
Blanks	132	108	96	99	116	120	82	109	107	969
Carol C. Cleven*	921	742	1044	837	1124	1150	1284	989	1013	9104
Henry E. Sullivan	499	372	467	525	446	532	465	443	461	4210
Write-In	0	1	0	1	1	2	0	1	0	6
Misc	0	2	1	0	0	2	0	3	0	8
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
DISTRICT ATTORNEY NORTHERN DIST										
Blanks	532	343	472	446	581	549	655	513	548	4639
Thomas F. Reilly*	1011	869	1129	1013	1101	1244	1167	1022	1020	9576
Write-In	4	6	0	1	2	3	5	6	7	34
Misc	5	7	7	2	3	10	4	4	6	48
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
CLERK OF COURTS MDLSX CTY										
Blanks	586	387	519	466	630	586	722	565	600	5061
Edward J. Sullivan*	959	826	1078	991	1050	1208	1099	973	972	9156
Write-In	5	7	0	2	3	2	5	2	3	29
Misc	2	5	11	3	4	10	5	5	6	51
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
REGISTER OF DEEDS MDLSX CTY NORTHERN DIST										
Blanks	205	148	188	160	238	200	242	174	218	1773
Richard P. Howe Jr	733	641	822	755	778	1004	856	828	692	7109
John L. Noonan	473	316	451	413	520	465	601	436	556	4231
Patrick A. O'Connor	139	117	145	133	150	136	130	103	112	1165
Write-In	0	3	2	1	1	0	1	2	2	12
Misc	2	0	0	0	0	1	1	2	1	7
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
COUNTY COMMISSIONER MDLSX CTY										
Blanks	360	228	322	285	429	353	428	339	362	3106
Francis X. Flaherty*	657	589	749	701	688	879	759	687	654	6363
Barbara J. Collins	531	406	536	474	567	569	643	512	562	4800
Write-In	1	2	0	1	1	1	0	2	0	8
Misc	3	0	1	1	2	4	1	5	3	20
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
QUESTION 1										
Blanks	168	55	52	45	71	72	53	62	49	627
Yes	535	479	641	554	662	688	639	598	598	5394
No	849	691	915	863	954	1046	1139	885	934	8276
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
QUESTON 2										
Blanks	353	30	39	35	44	38	27	37	24	627
Yes	715	659	875	788	969	1093	1185	954	972	8210
No	484	536	694	639	674	675	619	554	585	5460
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
QUESTION 3										
Blanks	380	97	100	89	125	149	107	107	105	1259
Yes	629	572	796	681	814	799	927	729	787	6734
No	543	556	712	692	748	858	797	709	689	6304
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
QUESTION 4										
Blanks	80	48	48	53	78	69	45	61	38	520
Yes	869	689	952	805	895	996	1052	811	884	7953
No	603	488	608	604	714	741	734	673	659	5824
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
QUESTION 5										
Blanks	64	39	45	41	45	56	40	31	23	384
Yes	878	725	949	802	992	984	1043	906	918	8197
No	610	461	614	619	650	766	748	608	640	5716
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
QUESTON 6										
Blanks	66	46	57	41	63	75	58	56	39	501
Yes	334	317	343	336	346	414	339	325	349	3103
No	1152	862	1208	1085	1278	1317	1434	1164	1193	10693
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
QUESTION 7										
Blanks	72	50	59	43	70	73	72	66	39	544
Yes	306	308	336	310	323	393	304	305	331	2916
No	1174	867	1213	1109	1294	1340	1455	1174	1211	10837
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
QUESTON 8										
Blanks	77	54	62	46	80	88	62	62	40	571
Yes	1202	963	1270	1154	1282	1387	1467	1253	1316	11294
No	273	208	276	262	325	331	302	230	225	2432
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297
QUESTON 9										
Blanks	116	69	95	72	117	141	112	80	85	887
Yes	776	613	798	739	843	849	985	807	880	7290
No	660	543	715	651	727	816	734	658	616	6120
TOTAL	1552	1225	1608	1462	1687	1806	1831	1545	1581	14297